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REPORT

SENATE OF THE UNITED STATES

OF AMERICA

IN SENATE, FEBRUARY 21, 1870

AT THE CITY OF WASHINGTON

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JOURNAL

OF THE

SENATE OF THE UNITED STATES

OF AMERICA,

BEING THE

FIRST SESSION OF THE THIRTY-FIFTH CONGRESS;

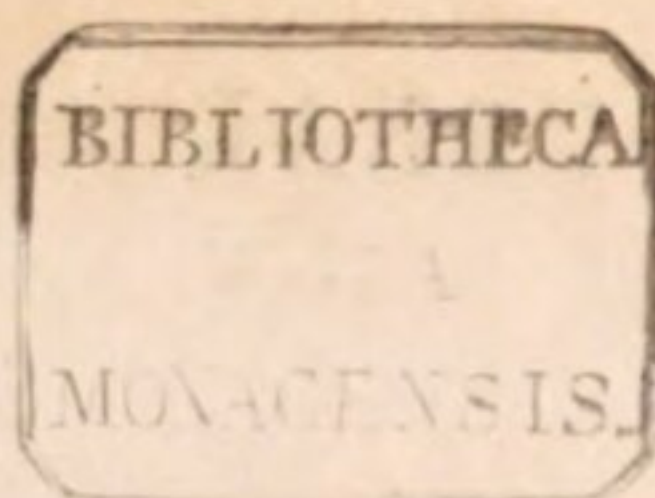
BEGUN AND HELD

AT THE CITY OF WASHINGTON,

DECEMBER 7, 1857,

IN THE EIGHTY-SECOND YEAR OF THE INDEPENDENCE OF THE UNITED STATES.

WASHINGTON:
WILLIAM A. HARRIS, SENATE PRINTER,
1857-'58.



SENATE OF THE UNITED STATES

OF AMERICA

FIRST SESSION OF THE THIRTY-THIRD CONGRESS

1854-55

AT THE CITY OF WASHINGTON

DECEMBER 7, 1854

IN THE SENATE OF THE UNITED STATES

WASHINGTON
JAMES A. SMITH
1854-55

CONGRESS OF THE UNITED STATES.

The first session of the THIRTY-FIFTH CONGRESS commenced this day, conformably to the Constitution of the United States, and the Senate assembled at the city of Washington

MONDAY, DECEMBER 7, 1857.

PRESENT :

From the State of New Hampshire,

The honorable { Daniel Clark.
John P. Hale.

From the State of Massachusetts,

The honorable { Charles Sumner.
Henry Wilson.

From the State of Rhode Island and Providence Plantations,

The honorable { Philip Allen.
James F. Simmons.

From the State of Connecticut,

The honorable { James Dixon.
Lafayette S. Foster.

From the State of Vermont,

The honorable { Jacob Collamer.
Solomon Foot.

From the State of New York,

The honorable { Preston King.
William H. Seward.

From the State of New Jersey,

The honorable { John R. Thomson.
William Wright.

From the State of Pennsylvania,

The honorable { William Bigler.
Simon Cameron.

From the State of Maryland,

The honorable { Anthony P. Kennedy.
James A. Pearce.

From the State of Virginia,

The honorable { R. M. T. Hunter.
James M. Mason.

From the State of North Carolina,

The honorable Asa Biggs.

From the State of South Carolina,

The honorable Josiah J. Evans.

From the State of Georgia,

The honorable Alfred Iverson.

From the State of Kentucky,

The honorable { John J. Crittenden.
John B. Thompson.

From the State of Tennessee,

The honorable { John Bell.
Andrew Johnson.

From the State of Ohio,

The honorable { George E. Pugh.
Benjamin F. Wade.

From the State of Louisiana,

The honorable { J. P. Benjamin.
John Slidell.

From the State of Indiana,

The honorable { Jesse D. Bright.
Graham N. Fitch.

From the State of Mississippi.

The honorable { Albert G. Brown.
Jefferson Davis.

From the State of Illinois.

The honorable { Stephen A. Douglas.
Lyman Trumbull.

From the State of Alabama.

The honorable { Clement C. Clay, jr.
Benjamin Fitzpatrick.

From the State of Maine.

The honorable { William Pitt Fessenden.
Hannibal Hamlin.

From the State of Missouri.

The honorable { James S. Green.
Trusten Polk.

From the State of Arkansas.

The honorable William K. Sebastian.

From the State of Michigan.

The honorable { Zachariah Chandler.
Charles E. Stuart.

From the State of Iowa.

The honorable { James Harlan.
George W. Jones.

From the State of Wisconsin.

The honorable { James R. Doolittle.
Charles Durkee.

From the State of California.

The honorable { David C. Broderick.
William M. Gwin.

The following letter having been read by the Secretary :

LOUISVILLE, KENTUCKY, *November 28, 1857.*

DEAR SIR: It will be impossible for me to be in attendance during the first week of the approaching Congress, and I beg you to communicate the fact to the Senate in the mode customary upon such occasions.

Yours, very respectfully,

JOHN C. BRECKINRIDGE.

ASBURY DICKINS, Esq.,
Secretary of the Senate,
Washington city, D. C.

Mr. Benjamin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the oath prescribed by the Constitution be administered to the new senators by the honorable Jesse D. Bright, the oldest member of the Senate present.

Mr. Biggs presented the credentials of the honorable Andrew Johnson, elected a senator by the legislature of Tennessee for the term of six years, beginning with the fourth day of March, 1857; which were read ; and the oath prescribed by law was administered to Mr. Johnson and he took his seat in the Senate.

Mr. Hale presented the credentials of the honorable Daniel Clark, elected a senator by the legislature of New Hampshire for the term of four years from the fourth day of March last, to fill the vacancy caused by the death of the honorable James Bell ; which were read ; and the oath prescribed by law was administered to Mr. Clark and he took his seat in the Senate.

Mr. Allen submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, (the Vice President being absent,) That the Senate proceed to choose, by ballot, a President of the Senate *pro tempore*.

Whereupon the Senate proceeded to choose, by ballot, a President *pro tempore* ; and, on counting the ballots, it appeared that the honorable Benjamin Fitzpatrick had a majority and was duly elected.

Mr. Fitzpatrick thereupon resumed the chair.

Mr. Clay submitted the following motion ; which was considered, by unanimous consent, and agreed to :

Ordered, That the Secretary inform the House of Representatives that, in the absence of the Vice President, the Senate has chosen the honorable Benjamin Fitzpatrick President of the Senate *pro tempore*.

Mr. Bright submitted the following motion ; which was considered, by unanimous consent, and agreed to :

Ordered, That the Secretary wait on the President of the United States and inform him that, in the absence of the Vice President, the Senate has chosen the honorable Benjamin Fitzpatrick President of the Senate *pro tempore*.

Mr. Bright submitted the following motion ; which was considered, by unanimous consent, and agreed to :

Ordered, That the Secretary inform the House of Representatives

that a quorum of the Senate has assembled and that the Senate is ready to proceed to business.

Mr. Mason submitted the following resolution for consideration :

Resolved, That the President of the Senate be authorized and requested to invite such clergymen as the office may be acceptable to to officiate as chaplains to the Senate during the present session, and in such alternation as may be agreeable to them.

On motion by Mr. Hale,

Ordered, That the time of meeting of the Senate be twelve o'clock till otherwise ordered.

On motion by Mr. Gwin, the Senate proceeded to the consideration of executive business.

After the consideration of executive business,
The Senate adjourned.

TUESDAY, DECEMBER 8, 1857.

The honorable David S. Reid, from the State of North Carolina, attended.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: I am directed to inform the Senate that a quorum of the House of Representatives has assembled ; that James L. Orr, one of the representatives from the State of South Carolina, has been chosen Speaker, and that the House is ready to proceed to business.

The House of Representatives has passed an order for the appointment of a committee on its part, to join such committee as may be appointed by the Senate to wait on the President of the United States and inform him that a quorum of each House has assembled, and that Congress is ready to receive any communication he may be pleased to make, and has appointed Mr. Florence, of Pennsylvania, Mr. Quitman, of Mississippi, and Mr. Lewis D. Campbell, of Ohio, the committee on its part.

Mr. Bright submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That a committee, consisting of three members, be appointed to join such committee as may be appointed by the House of Representatives to wait on the President of the United States and inform him that a quorum of each House has assembled, and that Congress is ready to receive any communication he may be pleased to make.

On motion by Mr. Bright,

Ordered, That the committee on the part of the Senate be appointed by the President *pro tempore* ; and

Mr. Bright, Mr. Bigler, and Mr. Collamer were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Pearce,

Ordered, That the administrators of C. P. Van Ness have leave to withdraw his petition and papers.

On motion by Mr. Hale,

Ordered, That one copy of the letter from the Secretary of the Treasury, with the estimates of appropriations for the year ending the 30th June, 1859, be bound for the use of each member of the Senate.

On motion by Mr. Seward,

Ordered, That leave be granted to withdraw the papers in relation to the claims of Charles Reeder, Walter R. Johnson, and the legal representatives of Thomas P. Jones.

On motion by Mr. Bell,

Ordered, That leave be granted to withdraw the memorial and papers of Nathan Towson and others, members of "Towson's artillery" in the war of 1812.

On motion by Mr. Cameron,

Ordered, That Mary Petery, widow of Peter Petery, have leave to withdraw her petition and papers.

Mr. Evans presented resolutions of the Chamber of Commerce of Charleston, South Carolina, in favor of the vigorous prosecution of the coast survey.

Ordered, That they lie on the table.

Mr. Bright, from the committee appointed to join such committee as may be appointed by the House of Representatives to wait on the President of the United States and inform him that a quorum of each House has assembled, and that Congress is ready to receive any communication he may be pleased to make, reported—

That they had performed the duty assigned them, and that the President replied that he would immediately make a communication to the two Houses of Congress.

The following message was received from the President of the United States by Mr. James Buchanan Henry, his secretary:

Fellow-citizens of the Senate and House of Representatives:

In obedience to the command of the Constitution, it has now become my duty "to give to Congress information of the state of the Union, and recommend to their consideration such measures" as I judge to be "necessary and expedient."

But first, and above all, our thanks are due to Almighty God for the numerous benefits which He has bestowed upon this people; and our united prayers ought to ascend to Him that He would continue to bless our great republic in time to come as He has blessed it in time past. Since the adjournment of the last Congress our constituents have enjoyed an unusual degree of health. The earth has yielded her fruits abundantly, and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture, and in all the elements of national wealth, we find our manufactures suspended, our public works retarded, our

private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want. The revenue of the government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, whilst the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune when compared with the suffering and distress prevailing among the people. With this the government cannot fail deeply to sympathize, though it may be without the power to extend relief.

It is our duty to inquire what has produced such unfortunate results, and whether their recurrence can be prevented? In all former revulsions the blame might have been fairly attributed to a variety of co-operating causes; but not so upon the present occasion. It is apparent that our existing misfortunes have proceeded solely from our extravagant and vicious system of paper currency and bank credits, exciting the people to wild speculations and gambling in stocks. These revulsions must continue to recur at successive intervals so long as the amount of the paper currency and bank loans and discounts of the country shall be left to the discretion of fourteen hundred irresponsible banking institutions, which, from the very law of their nature, will consult the interest of their stockholders rather than the public welfare.

The framers of the Constitution, when they gave to Congress the power "to coin money and to regulate the value thereof," and prohibited the States from coining money, emitting bills of credit, or making anything but gold and silver coin a tender in payment of debts, supposed they had protected the people against the evils of an excessive and irredeemable paper currency. They are not responsible for the existing anomaly that a government endowed with the sovereign attribute of coining money and regulating the value thereof should have no power to prevent others from driving this coin out of the country and filling up the channels of circulation with paper which does not represent gold and silver.

It is one of the highest and most responsible duties of government to insure to the people a sound circulating medium, the amount of which ought to be adapted with the utmost possible wisdom and skill to the wants of internal trade and foreign exchanges. If this be either greatly above or greatly below the proper standard, the marketable value of every man's property is increased or diminished in the same proportion, and injustice to individuals as well as incalculable evils to the community are the consequence.

Unfortunately, under the construction of the Federal Constitution, which has now prevailed too long to be changed, this important and delicate duty has been dissevered from the coining power, and virtually transferred to more than fourteen hundred State banks, acting independently of each other, and regulating their paper issues almost exclusively by a regard to the present interest of their stockholders. Exercising the sovereign power of providing a paper currency instead

of coin for the country, the first duty which these banks owe to the public is to keep in their vaults a sufficient amount of gold and silver to insure the convertibility of their notes into coin at all times and under all circumstances. No bank ought ever to be chartered without such restrictions on its business as to secure this result. All other restrictions are comparatively vain. This is the only true touchstone, the only efficient regulator of a paper currency—the only one which can guard the public against over issues and bank suspensions. As a collateral and eventual security it is doubtless wise, and in all cases ought to be required, that banks shall hold an amount of United States or State securities equal to their notes in circulation and pledged for their redemption. This, however, furnishes no adequate security against over issues. On the contrary, it may be perverted to inflate the currency. Indeed, it is possible by this means to convert all the debts of the United States and State governments into bank notes, without reference to the specie required to redeem them. However valuable these securities may be in themselves, they cannot be converted into gold and silver at the moment of pressure, as our experience teaches, in sufficient time to prevent bank suspensions and the depreciation of bank notes. In England, which is to a considerable extent a paper money country, though vastly behind our own in this respect, it was deemed advisable, anterior to the act of Parliament of 1844, which wisely separated the issue of notes from the banking department, for the bank of England always to keep on hand gold and silver equal to one-third of its combined circulation and deposits. If this proportion was no more than sufficient to secure the convertibility of its notes, with the whole of Great Britain, and to some extent the continent of Europe, as a field for its circulation, rendering it almost impossible that a sudden and immediate run to a dangerous amount should be made upon it, the same proportion would certainly be insufficient under our banking system. Each of our fourteen hundred banks has but a limited circumference for its circulation, and in the course of a very few days the depositors and note-holders might demand from such a bank a sufficient amount in specie to compel it to suspend, even although it had coin in its vaults equal to one-third of its immediate liabilities. And yet I am not aware, with the exception of the banks of Louisiana, that any State bank throughout the Union has been required by its charter to keep this or any other proportion of gold and silver compared with the amount of its combined circulation and deposits. What has been the consequence? In a recent report made by the Treasury Department on the condition of the banks throughout the different States, according to returns dated nearest to January, 1857, the aggregate amount of actual specie in their vaults is \$58,349,838, of their circulation \$214,778,822, and of their deposits \$230,351,352. Thus it appears that these banks, in the aggregate, have considerably less than one dollar in seven of gold and silver compared with their circulation and deposits. It was palpable, therefore, that the very first pressure must drive them to suspension, and deprive the people of a convertible currency with all its disastrous consequences. It is truly wonderful that they should have so long

continued to preserve their credit, when a demand for the payment of one-seventh of their immediate liabilities would have driven them into insolvency. And this is the condition of the banks, notwithstanding that four hundred millions of gold from California have flowed in upon us within the last eight years, and the tide still continues to flow. Indeed, such has been the extravagance of bank credits that the banks now hold a considerably less amount of specie, either in proportion to their capital or to their circulation and deposits combined, than they did before the discovery of gold in California. Whilst in the year 1848 their specie, in proportion to their capital, was more than equal to one dollar for four and a half, in 1857 it does not amount to one dollar for every six dollars and thirty-three cents of their capital. In the year 1848 the specie was equal within a very small fraction to one dollar in five of their circulation and deposits; in 1857 it is not equal to one dollar in seven and a half of their circulation and deposits.

From this statement it is easy to account for our financial history for the last forty years. It has been a history of extravagant expansions in the business of the country, followed by ruinous contractions. At successive intervals the best and most enterprising men have been tempted to their ruin by excessive bank loans of mere paper credit, exciting them to extravagant importations of foreign goods, wild speculations, and ruinous and demoralizing stock gambling. When the crisis arrives, as arrive it must, the banks can extend no relief to the people. In a vain struggle to redeem their liabilities in specie, they are compelled to contract their loans and their issues; and, at last, in the hour of distress, when their assistance is most needed, they and their debtors together sink into insolvency.

It is this paper system of extravagant expansion, raising the nominal price of every article far beyond its real value, when compared with the cost of similar articles in countries whose circulation is wisely regulated, which has prevented us from competing in our own markets with foreign manufacturers, has produced extravagant importations, and has counteracted the effect of the large incidental protection afforded to our domestic manufactures by the present revenue tariff. But for this, the branches of our manufactures composed of raw materials, the production of our own country—such as cotton, iron, and woolen fabrics—would not only have acquired almost exclusive possession of the home market, but would have created for themselves a foreign market throughout the world.

Deplorable, however, as may be our present financial condition, we may yet indulge in bright hopes for the future. No other nation has ever existed which could have endured such violent expansions and contractions of paper credits without lasting injury; yet the buoyancy of youth, the energies of our population, and the spirit which never quails before difficulties, will enable us soon to recover from our present financial embarrassment, and may even occasion us speedily to forget the lesson which they have taught.

In the mean time it is the duty of the government, by all proper means within its power, to aid in alleviating the sufferings of the people occasioned by the suspension of the banks, and to provide against

a recurrence of the same calamity. Unfortunately, in either aspect of the case, it can do but little. Thanks to the independent treasury, the government has not suspended payment, as it was compelled to do by the failure of the banks in 1837. It will continue to discharge its liabilities to the people in gold and silver. Its disbursements in coin will pass into circulation, and materially assist in restoring a sound currency. From its high credit, should we be compelled to make a temporary loan, it can be effected on advantageous terms. This however, shall, if possible, be avoided; but, if not, then the amount shall be limited to the lowest practicable sum.

I have therefore determined, that whilst no useful government works already in progress shall be suspended, new works, are already commenced, will be postponed, if this can be done without injury to the country. Those necessary for its defence shall proceed as though there had been no crisis in our monetary affairs.

But the federal government cannot do much to provide against a recurrence of existing evils. Even if insurmountable constitutional objections did not exist against the creation of a National Bank, this would furnish no adequate preventive security. The history of the last Bank of the United States abundantly proves the truth of this assertion. Such a bank could not, if it would, regulate the issues and credits of fourteen hundred State banks in such a manner as to prevent the ruinous expansions and contractions in our currency which afflicted the country throughout the existence of the late bank, or secure us against future suspensions. In 1825 an effort was made by the Bank of England to curtail the issues of the country banks, under the most favorable circumstances. The paper currency had been expanded to a ruinous extent, and the Bank put forth all its power to contract it in order to reduce prices and restore the equilibrium of the foreign exchanges. It accordingly commenced a system of curtailment of its loans and issues, in the vain hope that the joint-stock and private banks of the kingdom would be compelled to follow its example. It found, however, that as it contracted they expanded, and at the end of the process, to employ the language of a very high official authority, "whatever reduction of the paper circulation was effected by the Bank of England (in 1825) was more than made up by the issues of the country banks."

But a Bank of the United States would not, if it could, restrain the issues and loans of the State banks, because its duty as a regulator of the currency must often be in direct conflict with the immediate interest of its stockholders. If we expect one agent to restrain or control another, their interests must, at least in some degree, be antagonistic. But the directors of a Bank of the United States would feel the same interest and the same inclination with the directors of the State banks to expand the currency, to accommodate their favorites and friends with loans, and to declare large dividends. Such has been our experience in regard to the last Bank.

After all, we must mainly rely upon the patriotism and wisdom of the States for the prevention and redress of the evil. If they will afford us a real specie basis for our paper circulation by increasing the denomination of bank notes, first to twenty, and afterwards to fifty

dollars ; if they will require that the banks shall at all times keep on hand at least one dollar of gold and silver for every three dollars of their circulation and deposits ; and if they will provide by a self-executing enactment, which nothing can arrest, that the moment they suspend they shall go into liquidation, I believe that such provisions, with a weekly publication by each bank of a statement of its condition, would go far to secure us against future suspensions of specie payments.

Congress, in my opinion, possess the power to pass a uniform bankrupt law applicable to all banking institutions throughout the United States, and I strongly recommend its exercise. This would make it the irreversible organic law of each bank's existence, that a suspension of specie payments shall produce its civil death. The instinct of self-preservation would then compel it to perform its duties in such a manner as to escape the penalty and preserve its life.

The existence of banks and the circulation of bank paper are so identified with the habits of our people, that they cannot, at this day, be suddenly abolished without much immediate injury to the country. If we could confine them to their appropriate sphere, and prevent them from administering to the spirit of wild and reckless speculation by extravagant loans and issues, they might be continued with advantage to the public.

But this I say, after long and much reflection : If experience shall prove it to be impossible to enjoy the facilities which well-regulated banks might afford, without at the same time suffering the calamities which the excesses of the banks have hitherto inflicted upon the country, it would then be far the lesser evil to deprive them altogether of the power to issue a paper currency, and confine them to the functions of banks of deposit and discount.

Our relations with foreign governments are, upon the whole, in a satisfactory condition.

The diplomatic difficulties which existed between the government of the United States and that of Great Britain at the adjournment of the last Congress have been happily terminated by the appointment of a British minister to this country, who has been cordially received.

Whilst it is greatly to the interest, as I am convinced it is the sincere desire, of the governments and people of the two countries to be on terms of intimate friendship with each other, it has been our misfortune almost always to have had some irritating, if not dangerous, outstanding question with Great Britain.

Since the origin of the government we have been employed in negotiating treaties with that power, and afterwards in discussing their true intent and meaning. In this respect, the convention of April 19, 1850, commonly called the Clayton and Bulwer treaty, has been the most unfortunate of all ; because the two governments place directly opposite and contradictory instructions upon its first and most important article. Whilst, in the United States, we believed that this treaty would place both powers upon an exact equality by the stipulation that neither will ever "occupy, or fortify, or colonize, or assume or exercise any dominion" over, any part of Central America, it is contended by the British government that the true

construction of this language has left them in the rightful possession of all that portion of Central America which was in their occupancy at the date of the treaty; in fact, that the treaty is a virtual recognition on the part of the United States of the right of Great Britain, either as owner or protector, to the whole extensive coast of Central America, sweeping round from the Rio Hondo to the port and harbor of San Juan de Nicaragua, together with the adjacent Bay Islands, except the comparatively small portion of this between the Sarstoon and Cape Honduras. According to their construction, the treaty does no more than simply prohibit them from extending their possessions in Central America beyond the present limits. It is not too much to assert, that if in the United States the treaty had been considered susceptible of such a construction, it never would have been negotiated under the authority of the President, nor would it have received the approbation of the Senate. The universal conviction in the United States was, that when our government consented to violate its traditional and time-honored policy, and to stipulate with a foreign government never to occupy or acquire territory in the Central American portion of our own continent, the consideration for this sacrifice was that Great Britain should, in this respect at least, be placed in the same position with ourselves. Whilst we have no right to doubt the sincerity of the British government in their construction of the treaty, it is at the same time my deliberate conviction that this construction is in opposition both to its letter and its spirit.

Under the late administration negotiations were instituted between the two governments for the purpose, if possible, of removing these difficulties; and a treaty having this landable object in view was signed at London on the 17th October, 1856, and was submitted by the President to the Senate on the following 10th of December. Whether this treaty, either in its original or amended form, would have accomplished the object intended without giving birth to new and embarrassing complications between the two governments, may perhaps be well questioned. Certain it is, however, it was rendered much less objectionable by the different amendments made to it by the Senate. The treaty, as amended, was ratified by me on the 12th March, 1857, and was transmitted to London for ratification by the British government. That government expressed its willingness to concur in all the amendments made by the Senate with the single exception of the clause relating to Ruatan and the other islands in the Bay of Honduras. The article in the original treaty, as submitted to the Senate, after reciting that these islands and their inhabitants "having been, by a convention bearing date the 27th day of August, 1856, between her Britannic Majesty and the republic of Honduras, constituted and declared a free territory under the sovereignty of the said republic of Honduras," stipulated that "the two contracting parties do hereby mutually engage to recognize and respect in all future time the independence and rights of the said free territory as a part of the republic of Honduras."

Upon an examination of this convention between Great Britain and Honduras of the 27th August, 1856, it was found that, whilst declaring the Bay Islands to be "a free territory under the sovereignty of

the republic of Honduras," it deprived that republic of rights without which its sovereignty over them could scarcely be said to exist. It divided them from the remainder of Honduras, and gave to their inhabitants a separate government of their own, with legislative, executive, and judicial officers, elected by themselves. It deprived the government of Honduras of the taxing power in every form, and exempted the people of the islands from the performance of military duty, except for their own exclusive defence. It also prohibited that republic from erecting fortifications upon them for their protection—thus leaving them open to invasion from any quarter; and, finally, it provided "that slavery shall not at any time hereafter be permitted to exist therein."

Had Honduras ratified this convention, she would have ratified the establishment of a State substantially independent within her own limits, and a State at all times subject to British influence and control. Moreover, had the United States ratified the treaty with Great Britain in its original form, we should have been bound "to recognize and respect in all future time" these stipulations to the prejudice of Honduras. Being in direct opposition to the spirit and meaning of the Clayton and Bulwer treaty as understood in the United States, the Senate rejected the entire clause, and substituted in its stead a simple recognition of the sovereign right of Honduras to these islands in the following language: "The two contracting parties do hereby mutually engage to recognize and respect the islands of Ruatan, Bonaco, Utila, Barbaretta, Helena, and Morat, situate in the Bay of Honduras, and off the coast of the republic of Honduras, as under the sovereignty and as part of the said republic of Honduras."

Great Britain rejected this amendment, assigning as the only reason that the ratifications of the convention of the 27th August, 1856, between her and Honduras, had not been "exchanged, owing to the hesitation of that government." Had this been done, it is stated that "her Majesty's government would have had little difficulty in agreeing to the modification proposed by the Senate, which then would have had in effect the same signification as the original wording." Whether this would have been the effect—whether the mere circumstance of the exchange of the ratifications of the British convention with Honduras prior in point of time to the ratification of our treaty with Great Britain would, "in effect," have had "the same signification as the original wording," and thus have nullified the amendment of the Senate, may well be doubted. It is, perhaps, fortunate that the question has never arisen.

The British government, immediately after rejecting the treaty as amended, proposed to enter into a new treaty with the United States, similar in all respects to the treaty which they had just refused to ratify, if the United States would consent to add to the Senate's clear and unqualified recognition of the sovereignty of Honduras over the Bay Islands the following conditional stipulation: "Whenever and so soon as the republic of Honduras shall have concluded and ratified a treaty with Great Britain, by which Great Britain shall have ceded, and the republic of Honduras shall have accepted, the said islands, subject to the provisions and conditions contained in such treaty."

This proposition was, of course, rejected. After the Senate had refused to recognize the British convention with Honduras of the 27th August, 1856, with full knowledge of its contents, it was impossible for me, necessarily ignorant of "the provisions and conditions" which might be contained in a future convention between the same parties, to sanction them in advance.

The fact is, that when two nations like Great Britain and the United States, mutually desirous as they are, and I trust ever may be, of maintaining the most friendly relations with each other, have unfortunately concluded a treaty which they understand in senses directly opposite, the wisest course is to abrogate such a treaty by mutual consent, and to commence anew. Had this been done promptly, all difficulties in Central America would most probably ere this have been adjusted to the satisfaction of both parties. The time spent in discussing the meaning of the Clayton and Bulwer treaty would have been devoted to this praiseworthy purpose, and the task would have been the more easily accomplished because the interest of the two countries in Central America is identical, being confined to securing safe transits over all the routes across the Isthmus.

Whilst entertaining these sentiments, I shall nevertheless not refuse to contribute to any reasonable adjustment of the Central American questions which is not practically inconsistent with the American interpretation of the treaty. Overtures for this purpose have been recently made by the British government in a friendly spirit, which I cordially reciprocate; but whether this renewed effort will result in success I am not yet prepared to express an opinion. A brief period will determine.

With France our ancient relations of friendship still continue to exist. The French government have in several recent instances, which need not be enumerated, evinced a spirit of good will and kindness towards our country which I heartily reciprocate. It is, notwithstanding, much to be regretted that two nations whose productions are of such a character as to invite the most extensive exchanges and freest commercial intercourse, should continue to enforce ancient and obsolete restrictions of trade against each other. Our commercial treaty with France is, in this respect, an exception from our treaties with all other commercial nations. It jealously levies discriminating duties both on tonnage and on articles, the growth, produce, or manufacture of the one country, when arriving in vessels belonging to the other.

More than forty years ago, on the 3d March, 1815, Congress passed an act offering to all nations to admit their vessels laden with their national productions into the ports of the United States upon the same terms with our own vessels, provided they would reciprocate to us similar advantages. This act confined the reciprocity to the productions of the respective foreign nations who might enter into the proposed arrangement with the United States. The act of May 24, 1828, removed this restriction, and offered a similar reciprocity to all such vessels, without reference to the origin of their cargoes. Upon these principles our commercial treaties and arrangements have been founded,

except with France, and let us hope that this exception may not long exist.

Our relations with Russia remain, as they have ever been, on the most friendly footing. The present emperor, as well as his predecessors, have never failed, when the occasion offered, to manifest their good will to our country; and their friendship has always been highly appreciated by the government and people of the United States.

With all other European governments, except that of Spain, our relations are as peaceful as we could desire. I regret to say that no progress whatever has been made, since the adjournment of Congress, towards the settlement of any of the numerous claims of our citizens against the Spanish government. Besides, the outrage committed on our flag by the Spanish war-frigate *Ferrolana* on the high seas, off the coast of Cuba, in March, 1855, by firing into the American mail steamer *El Dorado*, and detaining and searching her, remains unacknowledged and unredressed. The general tone and temper of the Spanish government towards that of the United States are much to be regretted. Our present envoy extraordinary and minister plenipotentiary to Madrid has asked to be recalled; and it is my purpose to send out a new minister to Spain, with special instructions on all questions pending between the two governments, and with a determination to have them speedily and amicably adjusted, if this be possible. In the meantime, whenever our minister urges the just claims of our citizens on the notice of the Spanish government, he is met with the objection that Congress has never made the appropriation recommended by President Polk, in his annual message of December, 1847, "to be paid to the Spanish government for the purpose of distribution among the claimants in the *Amistad* case." A similar recommendation was made by my immediate predecessor, in his message of December, 1853; and entirely concurring with both in the opinion that this indemnity is justly due under the treaty with Spain of the 27th of October, 1795, I earnestly recommend such an appropriation to the favorable consideration of Congress.

A treaty of friendship and commerce was concluded at Constantinople on the 13th December, 1856, between the United States and Persia, the ratifications of which were exchanged at Constantinople on the 13th June, 1857, and the treaty was proclaimed by the President on the 18th August, 1857. This treaty, it is believed, will prove beneficial to American commerce. The Shah has manifested an earnest disposition to cultivate friendly relations with our country, and has expressed a strong wish that we should be represented at Teheran by a minister plenipotentiary; and I recommend that an appropriation be made for this purpose.

Recent occurrences in China have been unfavorable to a revision of the treaty with that empire of the 3d July, 1844, with a view to the security and extension of our commerce. The 24th article of this treaty stipulated for a revision of it, in case experience should prove this to be requisite; "in which case the two governments will, at the expiration of twelve years from the date of said convention, treat amicably concerning the same, by means of suitable persons appointed to conduct such negotiations." These twelve years expired on the 3d

July, 1856; but long before that period it was ascertained that important changes in the treaty were necessary; and several fruitless attempts were made by the commissioner of the United States to effect these changes. Another effort was about to be made for the same purpose by our commissioner, in conjunction with the ministers of England and France, but this was suspended by the occurrence of hostilities in the Canton river between Great Britain and the Chinese Empire. These hostilities have necessarily interrupted the trade of all nations with Canton, which is now in a state of blockade, and have occasioned a serious loss of life and property. Meanwhile the insurrection within the empire against the existing imperial dynasty still continues, and it is difficult to anticipate what will be the result.

Under these circumstances, I have deemed it advisable to appoint a distinguished citizen of Pennsylvania envoy extraordinary and minister plenipotentiary to proceed to China, and to avail himself of any opportunities which may offer to effect changes in the existing treaty favorable to American commerce. He left the United States for the place of his destination in July last, in the war steamer Minnesota. Special ministers to China have also been appointed by the governments of Great Britain and France.

Whilst our minister has been instructed to occupy a neutral position in reference to the existing hostilities at Canton, he will cordially co-operate with the British and French ministers in all peaceful measures to secure by treaty stipulations those just concessions to commerce which the nations of the world have a right to expect, and which China cannot long be permitted to withhold. From assurances received, I entertain no doubt that the three ministers will act in harmonious concert to obtain similar commercial treaties for each of the powers they represent.

We cannot fail to feel a deep interest in all that concerns the welfare of the independent republics on our own continent, as well as of the empire of Brazil.

Our difficulties with New Granada, which a short time since bore so threatening an aspect, are, it is to be hoped, in a fair train of settlement in a manner just and honorable to both parties.

The Isthmus of Central America, including that of Panama, is the great highway between the Atlantic and Pacific, over which a large portion of the commerce of the world is destined to pass. The United States are more deeply interested than any other nation in preserving the freedom and security of all the communications across this isthmus. It is our duty, therefore, to take care that they shall not be interrupted either by invasions from our own country or by wars between the independent States of Central America. Under our treaty with New Granada of the 12th December, 1846, we are bound to guaranty the neutrality of the Isthmus of Panama, through which the Panama railroad passes, "as well as the rights of sovereignty and property which New Granada has and possesses over the said territory." This obligation is founded upon equivalents granted by the treaty to the government and people of the United States.

Under these circumstances, I recommend to Congress the passage of an act authorizing the President, in case of necessity, to employ the

land and naval forces of the United States to carry into effect this guarantee of neutrality and protection. I also recommend similar legislation for the security of any other route across the isthmus in which we may acquire an interest by treaty.

With the independent republics on this continent it is both our duty and our interest to cultivate the most friendly relations. We can never feel indifferent to their fate, and must always rejoice in their prosperity. Unfortunately, both for them and for us, our example and advice have lost much of their influence in consequence of the lawless expeditions which have been fitted out against some of them within the limits of our country. Nothing is better calculated to retard our steady material progress, or impair our character as a nation, than the toleration of such enterprises in violation of the law of nations.

It is one of the first and highest duties of any independent State, in its relations with the members of the great family of nations, to restrain its people from acts of hostile aggression against their citizens or subjects. The most eminent writers on public law do not hesitate to denounce such hostile acts as robbery and murder.

Weak and feeble States, like those of Central America, may not feel themselves able to assert and vindicate their rights. The case would be far different if expeditions were set on foot within our own territories to make private war against a powerful nation. If such expeditions were fitted out from abroad against any portion of our own country, to burn down our cities, murder and plunder our people, and usurp our government, we should call any power on earth to the strictest account for not preventing such enormities.

Ever since the administration of General Washington, acts of Congress have been in force to punish severely the crime of setting on foot a military expedition within the limits of the United States, to proceed from thence against a nation or State with whom we are at peace. The present neutrality act of April 20, 1818, is but little more than a collection of pre-existing laws. Under this act, the President is empowered to employ the land and naval forces and the militia "for the purpose of preventing the carrying on of any such expedition or enterprise from the territories and jurisdiction of the United States," and the collectors of customs are authorized and required to detain any vessel in port when there is reason to believe she is about to take part in such lawless enterprises.

When it was first rendered probable that an attempt would be made to get up another unlawful expedition against Nicaragua, the Secretary of State issued instructions to the marshals and district attorneys, which were directed by the Secretaries of War and the Navy to the appropriate army and navy officers, requiring them to be vigilant, and to use their best exertions in carrying into effect the provisions of the act of 1818. Notwithstanding these precautions, the expedition has escaped from our shores. Such enterprises can do no possible good to the country, but have already inflicted much injury both on its interests and its character. They have prevented peaceful emigration from the United States to the States of Central America, which could not fail to prove highly beneficial to all the parties concerned. In a

pecuniary point of view alone, our citizens have sustained heavy losses from the seizure and closing of the transit route by the San Juan between the two oceans.

The leader of the recent expedition was arrested at New Orleans, but was discharged on giving bail for his appearance in the insufficient sum of two thousand dollars.

I commend the whole subject to the serious attention of Congress, believing that our duty and our interest, as well as our national character, require that we should adopt such measures as will be effectual in restraining our citizens from committing such outrages.

I regret to inform you that the president of Paraguay has refused to ratify the treaty between the United States and that State as amended by the Senate, the signature of which was mentioned in the message of my predecessor to Congress at the opening of its session in December, 1853. The reasons assigned for this refusal will appear in the correspondence herewith submitted.

It being desirable to ascertain the fitness of the river La Plata and its tributaries for navigation by steam, the United States steamer *Water Witch* was sent thither for that purpose in 1853. This enterprise was successfully carried on until February, 1855, when, whilst in the peaceful prosecution of her voyage up the Parana river, the steamer was fired upon by a Paraguayan fort. The fire was returned; but as the *Water Witch* was of small force, and not designed for offensive operations, she retired from the conflict. The pretext upon which the attack was made was a decree of the president of Paraguay of October, 1854, prohibiting foreign vessels-of-war from navigating the rivers of that State. As Paraguay, however, was the owner of but one bank of the river of that name, the other belonging to Corrientes, a State of the Argentine Confederation, the right of its government to expect that such a decree would be obeyed cannot be acknowledged. But the *Water Witch* was not, properly speaking, a vessel-of-war. She was a small steamer engaged in a scientific enterprise intended for the advantage of commercial states generally. Under these circumstances, I am constrained to consider the attack upon her as unjustifiable, and as calling for satisfaction from the Paraguayan government.

Citizens of the United States, also, who were established in business in Paraguay, have had their property seized and taken from them, and have otherwise been treated by the authorities in an insulting and arbitrary manner, which requires redress.

A demand for these purposes will be made in a firm but conciliatory spirit. This will the more probably be granted if the Executive shall have authority to use other means in the event of a refusal. This is accordingly recommended.

It is unnecessary to state in detail the alarming condition of the Territory of Kansas at the time of my inauguration. The opposing parties then stood in hostile array against each other, and any accident might have relighted the flames of civil war. Besides, at this critical moment, Kansas was left without a governor by the resignation of Governor Geary.

On the 19th of February previous, the territorial legislature had

passed a law providing for the election of delegates on the third Monday of June, to a convention to meet on the first Monday of September, for the purpose of framing a constitution preparatory to admission into the Union. This law was in the main fair and just; and it is to be regretted that all the qualified electors had not registered themselves and voted under its provisions.

At the time of the election for delegates, an extensive organization existed in the Territory, whose avowed object it was, if need be, to put down the lawful government by force, and to establish a government of their own under the so-called Topeka constitution. The persons attached to this revolutionary organization abstained from taking any part in the election.

The act of the territorial legislature had omitted to provide for submitting to the people the constitution which might be framed by the convention; and in the excited state of public feeling throughout Kansas, an apprehension extensively prevailed that a design existed to force upon them a constitution, in relation to slavery, against their will. In this emergency it became my duty, as it was my unquestionable right, having in view the union of all good citizens in support of the territorial laws, to express an opinion on the true construction of the provisions concerning slavery contained in the organic act of Congress of the 30th May, 1854. Congress declared it to be "the true intent and meaning of this act, not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." Under it Kansas, "when admitted as a State," was to "be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission."

Did Congress mean by this language that the delegates elected to frame a constitution should have authority finally to decide the question of slavery, or did they intend by leaving it to the people that the people of Kansas themselves should decide this question by a direct vote? On this subject I confess I had never entertained a serious doubt, and, therefore, in my instructions to Governor Walker of the 28th March last, I merely said that when "a constitution shall be submitted to the people of the Territory, they must be protected in the exercise of their right of voting for or against that instrument, and the fair expression of the popular will must not be interrupted by fraud or violence."

In expressing this opinion it was far from my intention to interfere with the decision of the people of Kansas, either for or against slavery. From this I have always carefully abstained. Intrusted with the duty of taking "care that the laws be faithfully executed," my only desire was that the people of Kansas should furnish to Congress the evidence required by the organic act, whether for or against slavery; and in this manner smooth their passage into the Union. In emerging from the condition of territorial dependence into that of a sovereign State, it was their duty, in my opinion, to make known their will by the votes of the majority, on the direct question, whether this important domestic institution should or should not continue to exist. Indeed,

this was the only possible mode in which their will could be authentically ascertained.

The election of delegates to a convention must necessarily take place in separate districts. From this cause it may readily happen, as has often been the case, that a majority of the people of a State or Territory are on one side of a question, whilst a majority of the representatives from the several districts into which it is divided may be upon the other side. This arises from the fact that in some districts delegates may be elected by small majorities, whilst in others those of different sentiments may receive majorities sufficiently great not only to overcome the votes given for the former, but to leave a large majority of the whole people in direct opposition to a majority of the delegates. Besides, our history proves that influences may be brought to bear on the representative sufficiently powerful to induce him to disregard the will of his constituents. The truth is, that no other authentic and satisfactory mode exists of ascertaining the will of a majority of the people of any State or Territory on an important and exciting question like that of slavery in Kansas, except by leaving it to a direct vote. How wise, then, was it for Congress to pass over all subordinate and intermediate agencies, and proceed directly to the source of all legitimate power under our institutions!

How vain would any other principle prove in practice! This may be illustrated by the case of Kansas. Should she be admitted into the Union with a constitution either maintaining or abolishing slavery, against the sentiment of the people, this could have no other effect than to continue and to exasperate the existing agitation during the brief period required to make the constitution conform to the irresistible will of the majority.

The friends and supporters of the Nebraska and Kansas act, when struggling on a recent occasion to sustain its wise provisions before the great tribunal of the American people, never differed about its true meaning on this subject. Everywhere throughout the Union they publicly pledged their faith and their honor that they would cheerfully submit the question of slavery to the decision of the *bona fide* people of Kansas, without any restriction or qualification whatever. All were cordially united upon the great doctrine of popular sovereignty, which is the vital principal of our free institutions. Had it, then, been insinuated from any quarter that it would be a sufficient compliance with the requisitions of the organic law for the members of a convention, thereafter to be elected, to withhold the question of slavery from the people, and to substitute their own will for that of a legally-ascertained majority of all their constituents, this would have been instantly rejected. Everywhere they remained true to the resolution adopted on a celebrated occasion recognizing "the right of the people of all the Territories—including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it—to form a constitution with or without slavery, and be admitted into the Union upon terms of perfect equality with the other States."

The convention to frame a constitution for Kansas met on the first

Monday of September last. They were called together by virtue of an act of the territorial legislature, whose lawful existence had been recognized by Congress in different forms and by different enactments. A large proportion of the citizens of Kansas did not think proper to register their names and to vote at the election for delegates; but an opportunity to do this having been fairly afforded, their refusal to avail themselves of their right could in no manner affect the legality of the convention.

This convention proceeded to frame a constitution for Kansas, and finally adjourned on the 7th day of November. But little difficulty occurred in the convention, except on the subject of slavery. The truth is, that the general provisions of our recent State constitutions are so similar, and, I may add, so excellent, that the difference between them is not essential. Under the earlier practice of the government, no constitution framed by the convention of a Territory preparatory to its admission into the Union as a State had been submitted to the people. I trust, however, the example set by the last Congress, requiring that the constitution of Minnesota "should be subject to the approval and ratification of the people of the proposed State," may be followed on future occasions. I took it for granted that the convention of Kansas would act in accordance with this example, founded, as it is, on correct principles; and hence my instructions to Governor Walker, in favor of submitting the constitution to the people, were expressed in general and unqualified terms.

In the Kansas-Nebraska act, however, this requirement, as applicable to the whole constitution, had not been inserted, and the convention were not bound by its terms to submit any other portion of the instrument to an election, except that which relates to the "domestic institution" of slavery. This will be rendered clear by a simple reference to its language. It was "not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." According to the plain construction of the sentence, the words "domestic institutions" have a direct as they have an appropriate reference to slavery. "Domestic institutions" are limited to the family. The relation between master and slave and a few others are "domestic institutions," and are entirely distinct from institutions of a political character. Besides, there was no question then before Congress, nor indeed has there since been any serious question before the people of Kansas or the country, except that which relates to the "domestic institution" of slavery.

The convention, after an angry and excited debate, finally determined, by a majority of only two, to submit the question of slavery to the people, though at the last forty-three of the fifty delegates present affixed their signatures to the constitution.

A large majority of the convention were in favor of establishing slavery in Kansas. They accordingly inserted an article in the constitution for this purpose similar in form to those which had been adopted by other territorial conventions. In the schedule, however, providing for the transition from a territorial to a State government, the question has been fairly and explicitly referred to the people,

whether they will have a constitution "with or without slavery." It declares that, before the constitution adopted by the convention "shall be sent to Congress for admission into the Union as a State," an election shall be held to decide this question, at which all the white male inhabitants of the Territory above the age of 21 are entitled to vote. They are to vote by ballot; and "the ballots cast at said election shall be endorsed 'constitution with slavery,' and 'constitution with no slavery.'" If there be a majority in favor of the "constitution with slavery," then it is to be transmitted to Congress by the president of the convention in its original form. If, on the contrary, there shall be a majority in favor of the "constitution with no slavery," "then the article providing for slavery shall be stricken from the constitution by the president of this convention;" and it is expressly declared that "no slavery shall exist in the State of Kansas, except that the right of property in slaves now in the Territory shall in no manner be interfered with;" and in that event it is made his duty to have the constitution thus ratified transmitted to the Congress of the United States for the admission of the State into the Union.

At this election every citizen will have an opportunity of expressing his opinion by his vote "whether Kansas shall be received into the Union with or without slavery," and thus this exciting question may be peacefully settled in the very mode required by the organic law. The election will be held under legitimate authority, and if any portion of the inhabitants shall refuse to vote, a fair opportunity to do so having been presented, this will be their own voluntary act, and they alone will be responsible for the consequences.

Whether Kansas shall be a free or a slave State, must eventually, under some authority, be decided by an election; and the question can never be more clearly or distinctly presented to the people than it is at the present moment. Should this opportunity be rejected, she may be involved for years in domestic discord, and possibly in civil war, before she can again make up the issue now so fortunately tendered, and again reach the point she has already attained.

Kansas has for some years occupied too much of the public attention. It is high time this should be directed to far more important objects. When once admitted into the Union, whether with or without slavery, the excitement beyond her own limits will speedily pass away, and she will then, for the first time, be left, as she ought to have been long since, to manage her own affairs in her own way. If her constitution on the subject of slavery, or on any other subject, be displeasing to a majority of the people, no human power can prevent them from changing it within a brief period. Under these circumstances it may well be questioned whether the peace and quiet of the whole country are not of greater importance than the mere temporary triumph of either of the political parties in Kansas.

Should the constitution without slavery be adopted by the votes of the majority, the rights of property in slaves now in the Territory are reserved. The number of these is very small; but if it were greater the provision would be equally just and reasonable. The slaves were brought into the Territory under the Constitution of the United States, and are now the property of their masters. This point

has at length been finally decided by the highest judicial tribunal of the country—and this upon the plain principle that when a confederacy of sovereign States acquire a new territory at their joint expense, both equality and justice demand that the citizens of one and all of them shall have the right to take into it whatsoever is recognized as property by the common Constitution. To have summarily confiscated the property in slaves already in the Territory would have been an act of gross injustice, and contrary to the practice of the older States of the Union which have abolished slavery.

A territorial government was established for Utah by act of Congress approved the 9th September, 1850, and the Constitution and laws of the United States were thereby extended over it “so far as the same, or any provisions thereof, may be applicable.” This act provided for the appointment by the President, by and with the advice and consent of the Senate, of a governor, who was to be ex-officio superintendent of Indian affairs, a secretary, three judges of the supreme court, a marshal, and a district attorney. Subsequent acts provided for the appointment of the officers necessary to extend our land and our Indian system over the Territory. Brigham Young was appointed the first governor on the 20th September, 1850, and has held the office ever since. Whilst Governor Young has been both governor and superintendent of Indian affairs throughout this period, he has been at the same time the head of the church called the Latter-Day Saints, and professes to govern its members and dispose of their property by direct inspiration and authority from the Almighty. His power has been, therefore, absolute over both church and State.

The people of Utah, almost exclusively, belong to this church, and believing with a fanatical spirit that he is governor of the Territory by divine appointment, they obey his commands as if these were direct revelations from Heaven. If, therefore, he chooses that his government shall come into collision with the government of the United States, the members of the Mormon church will yield implicit obedience to his will. Unfortunately, existing facts leave but little doubt that such is his determination. Without entering upon a minute history of occurrences, it is sufficient to say that all the officers of the United States, judicial and executive, with the single exception of two Indian agents, have found it necessary for their own personal safety to withdraw from the Territory, and there no longer remains any government in Utah but the despotism of Brigham Young. This being the condition of affairs in the Territory, I could not mistake the path of duty. As Chief Executive Magistrate, I was bound to restore the supremacy of the Constitution and laws within its limits. In order to effect this purpose, I appointed a new governor and other federal officers for Utah, and sent with them a military force for their protection, and to aid as a *posse comitatus*, in case of need, in the execution of the laws.

With the religious opinions of the Mormons, as long as they remained mere opinions, however deplorable in themselves and revolting to the moral and religious sentiments of all Christendom, I had no right to interfere. Actions alone, when in violation of the Constitu-

tion and laws of the United States, become the legitimate subjects for the jurisdiction of the civil magistrate. My instructions to Governor Cumming have therefore been framed in strict accordance with these principles. At their date a hope was indulged that no necessity might exist for employing the military in restoring and maintaining the authority of the law; but this hope has now vanished. Governor Young has, by proclamation, declared his determination to maintain his power by force, and has already committed acts of hostility against the United States. Unless he should retrace his steps the Territory of Utah will be in a state of open rebellion. He has committed these acts of hostility notwithstanding Major Van Vliet, an officer of the army, sent to Utah by the commanding general to purchase provisions for the troops, had given him the strongest assurances of the peaceful intentions of the government, and that the troops would only be employed as a *posse comitatus* when called on by the civil authority to aid in the execution of the laws.

There is reason to believe that Governor Young has long contemplated this result. He knows that the continuance of his despotic power depends upon the exclusion of all settlers from the Territory, except those who will acknowledge his divine mission and implicitly obey his will; and that an enlightened public opinion there would soon prostrate institutions at war with the laws both of God and man. He has, therefore, for several years, in order to maintain his independence, been industriously employed in collecting and fabricating arms and munitions of war, and in disciplining the Mormons for military service. As superintendent of Indian affairs he has had an opportunity of tampering with the Indian tribes, and exciting their hostile feelings against the United States. This, according to our information, he has accomplished in regard to some of these tribes, while others have remained true to their allegiance, and have communicated his intrigues to our Indian agents. He has laid in a store of provisions for three years, which, in case of necessity, as he informed Major Van Vliet, he will conceal, "and then take to the mountains, and bid defiance to all the powers of the government."

A great part of all this may be idle boasting; but yet no wise government will lightly estimate the efforts which may be inspired by such phrensied fanaticism as exists among the Mormons in Utah. This is the first rebellion which has existed in our Territories; and humanity itself requires that we should put it down in such a manner that it shall be the last. To trifle with it would be to encourage it and to render it formidable. We ought to go there with such an imposing force as to convince these deluded people that resistance would be vain, and thus spare the effusion of blood. We can in this manner best convince them that we are their friends, not their enemies. In order to accomplish this object, it will be necessary, according to the estimate of the War Department, to raise four additional regiments; and this I earnestly recommend to Congress. At the present moment of depression in the revenues of the country I am sorry to be obliged to recommend such a measure; but I feel confident of the support of Congress, cost what it may, in suppressing the insurrection and in

restoring and maintaining the sovereignty of the Constitution and laws over the Territory of Utah.

I recommend to Congress the establishment of a territorial government over Arizona, incorporating with it such portions of New Mexico as they may deem expedient. I need scarcely adduce arguments in support of this recommendation. We are bound to protect the lives and the property of our citizens inhabiting Arizona, and these are now without any efficient protection. Their present number is already considerable, and is rapidly increasing, notwithstanding the disadvantages under which they labor. Besides, the proposed Territory is believed to be rich in mineral and agricultural resources, especially in silver and copper. The mails of the United States to California are now carried over it throughout its whole extent, and this route is known to be the nearest, and believed to be the best to the Pacific.

Long experience has deeply convinced me that a strict construction of the powers granted to Congress is the only true, as well as the only safe, theory of the Constitution. Whilst this principle shall guide my public conduct, I consider it clear that under the war-making power Congress may appropriate money for the construction of a military road through the territories of the United States, when this is absolutely necessary for the defence of any of the States against foreign invasion. The Constitution has conferred upon Congress power "to declare war," "to raise and support armies," "to provide and maintain a navy," and to call forth the militia to "repel invasions." These high sovereign powers necessarily involve important and responsible public duties, and among them there is none so sacred and so imperative as that of preserving our soil from the invasion of a foreign enemy. The Constitution has, therefore, left nothing on this point to construction, but expressly requires that "the United States shall protect each of them [the States] against invasion." Now, if a military road over our own territories be indispensably necessary to enable us to meet and repel the invader, it follows as a necessary consequence not only that we possess the power, but it is our imperative duty to construct such a road. It would be an absurdity to invest a government with the unlimited power to make and conduct war, and at the same time deny to it the only means of reaching and defeating the enemy at the frontier. Without such a road it is quite evident we cannot "protect" California and our Pacific possessions "against invasion." We cannot by any other means transport men and munitions of war from the Atlantic States in sufficient time successfully to defend these remote and distant portions of the republic.

Experience has proved that the routes across the isthmus of Central America are at best but a very uncertain and unreliable mode of communication. But even if this were not the case, they would at once be closed against us in the event of war with a naval power so much stronger than our own as to enable it to blockade the ports at either end of these routes. After all, therefore, we can only rely upon a military road through our own territories; and ever since the origin of the government Congress has been in the practice of appropriating money from the public treasury for the construction of such roads.

The difficulties and the expense of constructing a military railroad

to connect our Atlantic and Pacific States have been greatly exaggerated. The distance on the Arizona route near the 32d parallel of north latitude, between the western boundary of Texas on the Rio Grande and the eastern boundary of California on the Colorado, from the best explorations now within our knowledge, does not exceed four hundred and seventy miles, and the face of the country is, in the main, favorable. For obvious reasons the government ought not to undertake the work itself by means of its own agents. This ought to be committed to other agencies, which Congress might assist, either by grants of land or money, or by both, upon such terms and conditions as they may deem most beneficial for the country. Provision might thus be made not only for the safe, rapid, and economical transportation of troops and munitions of war, but also of the public mails. The commercial interests of the whole country, both east and west, would be greatly promoted by such a road; and, above all, it would be a powerful additional bond of Union. And although advantages of this kind, whether postal, commercial, or political, cannot confer constitutional power, yet they may furnish auxiliary arguments in favor of expediting a work which, in my judgment, is clearly embraced within the war-making power.

For these reasons I commend to the friendly consideration of Congress the subject of the Pacific railroad, without finally committing myself to any particular route.

The report of the Secretary of the Treasury will furnish a detailed statement of the condition of the public finances and of the respective branches of the public service devolved upon that department of the government. By this report it appears that the amount of revenue received from all sources into the treasury during the fiscal year ending the 30th June, 1857, was sixty-eight million six hundred and thirty-one thousand five hundred and thirteen dollars and sixty-seven cents, (\$68,631,513 67,) which amount, with the balance of nineteen million nine hundred and one thousand three hundred and twenty-five dollars and forty-five cents, (\$19,901,325 45,) remaining in the treasury at the commencement of the year, made an aggregate for the service of the year of eighty-eight million five hundred and thirty-two thousand eight hundred and thirty-nine dollars and twelve cents, (\$88,532,839 12.)

The public expenditures for the fiscal year ending 30th June, 1857, amounted to seventy million eight hundred and twenty-two thousand seven hundred and twenty-four dollars and eighty-five cents, (\$70,822,724 85,) of which five million nine hundred and forty-three thousand eight hundred and ninety-six dollars and ninety-one cents (\$5,943,896 91) were applied to the redemption of the public debt, including interest and premium, leaving in the treasury at the commencement of the present fiscal year on the 1st July, 1857, seventeen million seven hundred and ten thousand one hundred and fourteen dollars and twenty-seven cents, (\$17,710,114 27.)

The receipts into the treasury for the first quarter of the present fiscal year, commencing 1st July, 1857, were twenty million nine hundred and twenty-nine thousand eight hundred and nineteen dollars and eighty-one cents, (\$20,929,819 81,) and the estimated receipts

of the remaining three quarters to the 30th June, 1858, are thirty-six million seven hundred and fifty thousand dollars, (\$36,750,000,) making, with the balance before stated, an aggregate of seventy-five million three hundred and eighty-nine thousand nine hundred and thirty-four dollars and eight cents (\$75,389,934 08) for the service of the present fiscal year.

The actual expenditures during the first quarter of the present fiscal year were twenty-three million seven hundred and fourteen thousand five hundred twenty-eight dollars and thirty-seven cents, (\$23,714,528 37,) of which three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents (\$3,895,232 39) were applied to the redemption of the public debt, including interest and premium. The probable expenditures of the remaining three quarters, to 30th June, 1858, are fifty-one million two hundred and forty-eight thousand five hundred and thirty dollars and four cents, (\$51,248,530 04,) including interest on the public debt, making an aggregate of seventy-four million nine hundred and sixty-three thousand fifty-eight dollars and forty-one cents, (\$74,963,058 41,) leaving an estimated balance in the treasury at the close of the present fiscal year of four hundred and twenty-six thousand eight hundred and seventy-five dollars and sixty-seven cents, (\$426,875 67.)

The amount of the public debt at the commencement of the present fiscal year was twenty-nine million sixty thousand three hundred and eighty-six dollars and ninety cents, (\$29,060,386 90.)

The amount redeemed since the 1st of July was three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents, (\$3,895,232 39,) leaving a balance unredeemed at this time of twenty-five million one hundred and sixty-five thousand one hundred and fifty-four dollars and fifty-one cents, (\$25,165,154 51.)

The amount of estimated expenditures for the remaining three quarters of the present fiscal year will, in all probability, be increased from the causes set forth in the report of the Secretary. His suggestion, therefore, that authority should be given to supply any temporary deficiency by the issue of a limited amount of treasury notes, is approved, and I accordingly recommend the passage of such a law.

As stated in the report of the Secretary, the tariff of March 3, 1857, has been in operation for so short a period of time, and under circumstances so unfavorable to a just development of its results as a revenue measure, that I should regard it as inexpedient, at least for the present, to undertake its revision.

I transmit herewith the reports made to me by the Secretaries of War and of the Navy, of the Interior and of the Postmaster General. They all contain valuable and important information and suggestions, which I commend to the favorable consideration of Congress.

I have already recommended the raising of four additional regiments, and the report of the Secretary of War presents strong reasons, proving this increase of the army, under existing circumstances, to be indispensable.

I would call the special attention of Congress to the recommenda-

tion of the Secretary of the Navy in favor of the construction of ten small war steamers of light draught. For some years the government has been obliged on many occasions to hire such steamers from individuals to supply its pressing wants. At the present moment we have no armed vessel in the navy which can penetrate the rivers of China. We have but few which can enter any of the harbors south of Norfolk, although many millions of foreign and domestic commerce annually pass in and out of these harbors. Some of our most valuable interests and most vulnerable points are thus left exposed. This class of vessels of light draught, great speed, and heavy guns would be formidable in coast defence. The cost of their construction will not be great, and they will require but a comparatively small expenditure to keep them in commission. In time of peace they will prove as effective as much larger vessels, and more useful. One of them should be at every station where we maintain a squadron, and three or four should be constantly employed on our Atlantic and Pacific coasts. Economy, utility, and efficiency combine to recommend them as almost indispensable. Ten of these small vessels would be of incalculable advantage to the naval service, and the whole cost of their construction would not exceed two million three hundred thousand dollars, or \$230,000 each.

The report of the Secretary of the Interior is worthy of grave consideration. It treats of the numerous, important, and diversified branches of domestic administration intrusted to him by law. Among these the most prominent are the public lands and our relations with the Indians.

Our system for the disposal of the public lands, originating with the fathers of the republic, has been improved as experience pointed the way, and gradually adapted to the growth and settlement of our western States and Territories. It has worked well in practice. Already thirteen States and seven Territories have been carved out of these lands, and still more than a thousand millions of acres remain unsold. What a boundless prospect this presents to our country of future prosperity and power!

We have heretofore disposed of 363,862,464 acres of the public land.

Whilst the public lands, as a source of revenue, are of great importance, their importance is far greater as furnishing homes for a hardy and independent race of honest and industrious citizens, who desire to subdue and cultivate the soil. They ought to be administered mainly with a view of promoting this wise and benevolent policy. In appropriating them for any other purpose, we ought to use even greater economy than if they had been converted into money and the proceeds were already in the public treasury. To squander away this richest and noblest inheritance which any people have ever enjoyed upon objects of doubtful constitutionality or expediency, would be to violate one of the most important trusts ever committed to any people. Whilst I do not deny to Congress the power, when acting *bona fide* as a proprietor, to give away portions of them for the purpose of increasing the value of the remainder, yet, considering the great temptation to abuse this power, we cannot be too cautious in its exercise.

Actual settlers under existing laws are protected against other purchasers at the public sales, in their right of pre-emption, to the extent of a quarter-section, or 160 acres of land. The remainder may then be disposed of at public or entered at private sale in unlimited quantities.

Speculation has of late years prevailed to a great extent in the public lands. The consequence has been that large portions of them have become the property of individuals and companies, and thus the price is greatly enhanced to those who desire to purchase for actual settlement. In order to limit the area of speculation as much as possible, the extinction of the Indian title and the extension of the public surveys ought only to keep pace with the tide of emigration.

If Congress should hereafter grant alternate sections to States or companies, as they have done heretofore, I recommend that the intermediate sections retained by the government should be subject to pre-emption by actual settlers.

It ought ever to be our cardinal policy to reserve the public lands as much as may be for actual settlers, and this at moderate prices. We shall thus not only best promote the prosperity of the new States and Territories, and the power of the Union, but shall secure homes for our posterity for many generations.

The extension of our limits has brought within our jurisdiction many additional and populous tribes of Indians, a large proportion of which are wild, untractable, and difficult to control. Predatory and warlike in their disposition and habits, it is impossible altogether to restrain them from committing aggressions on each other, as well as upon our frontier citizens and those emigrating to our distant States and Territories. Hence expensive military expeditions are frequently necessary to overawe and chastise the more lawless and hostile.

The present system of making them valuable presents to influence them to remain at peace has proved ineffectual. It is believed to be the better policy to colonize them in suitable localities, where they can receive the rudiments of education and be gradually induced to adopt habits of industry. So far as the experiment has been tried it has worked well in practice, and it will doubtless prove to be less expensive than the present system.

The whole number of Indians within our territorial limits is believed to be, from the best data in the Interior Department, about 325,000.

The tribes of Cherokees, Choctaws, Chickasaws, and Creeks, settled in the territory set apart for them west of Arkansas, are rapidly advancing in education and in all the arts of civilization and self-government; and we may indulge the agreeable anticipation that at no very distant day they will be incorporated into the Union as one of the sovereign States.

It will be seen from the report of the Postmaster General that the Post Office Department still continues to depend on the treasury, as it has been compelled to do for several years past, for an important portion of the means of sustaining and extending its operations. Their rapid growth and expansion are shown by a decennial statement of the number of post offices, and the length of post roads, commencing with

the year 1827. In that year there were 7,000 post offices; in 1837, 11,177; in 1847, 15,146; and in 1857 they number 26,586. In this year 1,725 post offices have been established and 704 discontinued, leaving a net increase of 1,021. The postmasters of 368 offices are appointed by the President.

The length of post roads in 1827 was 105,336 miles; in 1837, 141,242 miles; in 1847, 153,818 miles; and in the year 1857 there are 242,601 miles of post road, including 22,530 miles of railroad, on which the mails are transported.

The expenditures of the department for the fiscal year ending on the 30th June, 1857, as adjusted by the Auditor, amounted to \$11,507,670. To defray these expenditures there was to the credit of the department on the 1st July, 1856, the sum of \$789,599; the gross revenue of the year, including the annual allowances for the transportation of free mail matter, produced \$8,053,951; and the remainder was supplied by the appropriation from the treasury of \$2,250,000, granted by the act of Congress approved August 18, 1856, and by the appropriation of \$666,883 made by the act of March 3, 1857, leaving \$252,763 to be carried to the credit of the department in the accounts of the current year. I commend to your consideration the report of the department in relation to the establishment of the overland mail route from the Mississippi river to San Francisco, California. The route was selected with my full concurrence, as the one, in my judgment, best calculated to attain the important objects contemplated by Congress.

The late disastrous monetary revulsion may have one good effect should it cause both the government and the people to return to the practice of a wise and judicious economy both in public and private expenditures.

An overflowing treasury has led to habits of prodigality and extravagance in our legislation. It has induced Congress to make large appropriations to objects for which they never would have provided had it been necessary to raise the amount of revenue required to meet them by increased taxation or by loans. We are now compelled to pause in our career, and to scrutinize our expenditures with the utmost vigilance; and in performing this duty, I pledge my co-operation to the extent of my constitutional competency.

It ought to be observed at the same time that true public economy does not consist in withholding the means necessary to accomplish important national objects intrusted to us by the Constitution, and especially such as may be necessary for the common defence. In the present crisis of the country it is our duty to confine our appropriations to objects of this character, unless in cases where justice to individuals may demand a different course. In all cases care ought to be taken that the money granted by Congress shall be faithfully and economically applied.

Under the Federal Constitution, "every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law," be approved and signed by the President; and, if not approved, "he shall return it with his objections to that house in which it originated." In order to perform this high and responsible duty, sufficient time must be allowed the President to read and examine every bill presented to him for approval. Unless this be afforded, the

Constitution becomes a dead letter in this particular ; and even worse, it becomes a means of deception. Our constituents, seeing the President's approval and signature attached to each act of Congress, are induced to believe that he has actually performed his duty, when, in truth, nothing is, in many cases, more unfounded.

From the practice of Congress, such an examination of each bill as the Constitution requires has been rendered impossible. The most important business of each session is generally crowded into its last hours, and the alternative presented to the President is either to violate the constitutional duty which he owes to the people, and approve bills which, for want of time, it is impossible he should have examined, or, by his refusal to do this, subject the country and individuals to great loss and inconvenience.

Besides, a practice has grown up of late years to legislate in appropriation bills, at the last hours of the session, on new and important subjects. This practice constrains the President either to suffer measures to become laws which he does not approve, or to incur the risk of stopping the wheels of the government by vetoing an appropriation bill. Formerly, such bills were confined to specific appropriations for carrying into effect existing laws and the well established policy of the country, and little time was then required by the President for their examination.

For my own part, I have deliberately determined that I shall approve no bills which I have not examined, and it will be a case of extreme and most urgent necessity which shall ever induce me to depart from this rule. I therefore respectfully, but earnestly, recommend that the two Houses would allow the President at least two days previous to the adjournment of each session within which no new bill shall be presented to him for approval. Under the existing joint rule one day is allowed ; but this rule has been hitherto so constantly suspended in practice, that important bills continue to be presented to him up till the very last moments of the session. In a large majority of cases no great public inconvenience can arise from the want of time to examine their provisions, because the Constitution has declared that if a bill be presented to the President within the last ten days of the session, he is not required to return it, either with an approval or with a veto, "in which case it shall not be a law." It may then lie over, and be taken up and passed at the next session. Great inconvenience would only be experienced in regard to appropriation bills ; but fortunately, under the late excellent law allowing a salary, instead of a per diem, to members of Congress, the expense and inconvenience of a called session will be greatly reduced.

I cannot conclude without commending to your favorable consideration the interest of the people of this District. Without a representative on the floor of Congress, they have for this very reason peculiar claims upon our just regard. To this I know, from my long acquaintance with them, they are eminently entitled.

JAMES BUCHANAN.

WASHINGTON, *December* 8, 1857.

The message was read.

On motion by Mr. Douglas, that the usual number of copies of the message and documents be printed ; and that fifteen thousand copies of the message and accompanying documents, in addition to the usual number, be printed for the use of the Senate by the printer of the Senate for the last Congress, at rates not exceeding those established by existing laws ; and that all other orders for printing made, until a printer to the Senate shall be chosen, be executed by the late printer, on the same terms.

After debate,

On motion by Mr. Brown,
The Senate adjourned.

WEDNESDAY, DECEMBER 9, 1857

The President *pro tempore* laid before the Senate a report of the Secretary of the Treasury on the state of the finances ; which was read.

Ordered, That it be printed.

The President *pro tempore* laid before the Senate a letter of the Secretary of State, communicating, in obedience to law, an abstract of returns of American seamen ; which was read.

Ordered, That it be printed.

The President *pro tempore* laid before the Senate a report of the Secretary of State, made in obedience to law, showing the disbursements of that department during the fiscal year ending June 30, 1857, including disbursements for contingent expenses of foreign intercourse ; which was read.

Ordered, That it be printed.

On motion by Mr. Seward,

Ordered, That W. G. Bucknor, executor of John J. Bulow, jr., have leave to withdraw his petition and papers.

Mr. Gwin presented a resolution of the legislature of California, in favor of the payment of the claim of A. M. Winn for money expended by him for charitable purposes in the city of Sacramento, California, in 1849 and 1850.

Ordered, That it lie on the table and be printed.

Mr. Gwin presented a resolution of the legislature of California, in favor of the establishment of certain mail routes in that State.

Ordered, That it lie on the table and be printed.

Mr. Gwin presented a resolution of the legislature of California, in favor of the speedy construction of a national railroad, from the valley of the Mississippi to some point in California.

Ordered, That it lie on the table and be printed.

The Senate proceeded to consider the resolution, submitted by Mr. Mason the 7th instant, in relation to chaplains to the Senate ; and, having been amended on the motion of Mr. Collamer, the resolution was agreed to, as follows :

Resolved, That the President of the Senate be authorized and requested to invite such clergymen of the District of Columbia as the

office may be acceptable to, to officiate as chaplains to the Senate during the present session, and in such alternation as may be agreeable to them.

The Senate resumed the consideration of the motion, by Mr. Douglas, relating to the printing of the message of the President of the United States and the accompanying documents ; and,

After debate,

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed to Monday next.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, DECEMBER 10, 1857.

The honorable James A. Bayard, from the State of Delaware, attended.

The President *pro tempore* laid before the Senate reports of the Court of Claims, made in pursuance of law, adverse to the claim of Frederick Griffing ; two claims of Francis Picard, administrator of Pierre Ayott ; the claim of George W. Dow and John H. Ditmas ; the claim of Daniel Van Winkle ; the claim of Joseph Loranger ; the claim of Michael Musy and Andre Galtier ; the claim of Henry G. Carson, administrator of Curtis Grubb, deceased, surviving partner of Curtis and Peter Grubb ; the claim of Philip Lamoy, one of the heirs of Robert Paul ; the claim of Ezra T. Marnay, administrator of Louis Marnay ; the claim of Henry Miller ; the claim of Stephen C. Hayden ; the claim of David Noble ; the claim of Joseph Stokely and Folly Findley ; the claim of Jeremiah M. Williams and others ; the claim of Arnold Harris, administrator of Robert Armstrong ; the claim of E. B. Chamberlain and others, heirs of Joshua Chamberlain ; the claim of Eliza Shaffer ; the claim of Augustin Demers and another, administrators of Francis Chaudonet, deceased ; the claim of Alexander H. Cook ; the claim of Joshua R. Jewett ; the claim of John M. Thorne ; the claim of J. C. Buckles ; the claim of James Thompson ; the claim of J. H. King, administrator of James Greer ; the claim of T. S. J. Johnson ; the claim of Abraham King, administrator of John Mandeville ; the claim of Llewellyn Jones ; the claim of Robert S. Garnett ; the claim of Robert C. Thompson, administrator of William Thompson ; the claim of Ann W. Butler, administratrix of Richard Butler, deceased ; the claim of Christiana Dener ; the claim of Stephen C. Phillips ; the claim of Ellen Martin ; the claim of Francis Nadeau ; the claim of Abraham R. Woolley ; the claim of Ralph Richardson ; the claim of Nathaniel Williams ; the claim of Hugh Hughes ; the claim of R. L. Page, administrator of William B. Page ; and the claim of Robert Harrison, with opinions of the judges in the case of Letitia Humphreys.

Also reports of the court in favor of the claim of Jane Martin ; the claim of Melinda Durkee ; the claim of Sarah Weed ; the claim of Mary Pierce ; the claim of Anne B. Johnson ; the claim of Hannah

Menzies; the claim of Benjamin L. McAtee and J. N. Eastham; the claim of Rebecca P. Nourse; the claim of Anna Hill; the claim of Polly Booth; the claim of Sarah Eaton; the claim of Temperance Childress; the claim of Elizabeth King; the claim of Lydia Clapp; the claim of Elizabeth Morgan; the claim of Phebe Folly; the claim of Nancy Ittig; the claim of Mary Ann Hooper; the claim of Almira Reniff; the claim of Sarah Loomis; the claim of Mary Grant; the claim of James Mc McIntosh; the claim of Neal Smith, administrator of William Turvin; the claim of Charner T. Scaife, administrator of Gilbert Stalker, deceased; the claim of William H. Russell; and the claim of Ferdinand Coxe; accompanied by the following bills:

A bill for the relief of Jane Martin, of the county of Harrison, State of Virginia;

A bill for the relief of Melinda Durkee, of the State of Georgia;

A bill for the relief of Sarah Weed, of the county of Albany, State of New York;

A bill for the relief of Mary Pierce, of the county of Courtland, State of New York;

A bill for the relief of Anne B. Johnson, of the county of Henrico, State of Virginia;

A bill for the relief of Hannah Menzies, of the State of Kentucky;

A bill for the relief of Benjamin L. McAtee and J. N. Eastham, of Louisville, Kentucky;

A bill for the relief of Rebecca P. Nourse, of the county of ———, State of Kentucky;

A bill for the relief of Anna Hill, of the county of Monroe, and State of New York;

A bill for the relief of Polly Booth, of the county of Madison, State of New York;

A bill for the relief of Sarah Eaton, of the county of Worcester, State of Massachusetts;

A bill for the relief of Temperance Childress, of the State of Virginia;

A bill for the relief of Elizabeth King, of the county of ———, State of Virginia;

A bill for the relief of Lydia Clapp, of the county of Washington, and State of New York;

A bill for the relief of Elizabeth Morgan, of the county of Rensselaer, State of New York;

A bill for the relief of Phebe Polly, of the county of Otsego, State of New York;

A bill for the relief of Nancy Ittig, county of Herkimer, State of New York;

A bill for the relief of Mary Ann Hooper, of the county of ———, State of Virginia;

A bill for the relief of Almira Reniff, of the county of ———, State of Virginia;

A bill for the relief of Sarah Loomis, of the county of New London, State of Connecticut;

A bill for the relief of Mary Grant, of the county of ———, State of South Carolina;

A bill for the relief of Captain James Mc. McIntosh, of the United States navy ;

A bill for the relief of the heirs of William Turvin, deceased ;

A bill for the relief of Charner T. Scaife, administrator of Gilbert Stalker ;

A bill for the relief of William H. Russell ;

A bill for the relief of Ferdinand Coxe.

The report was read.

Mr. Seward submitted the following resolution for consideration :

Resolved, That the Joint Committee on Printing inquire and report whether any new provisions of law are necessary to secure a faithful performance, on the part of Congress, of the existing contracts which provide for accurate reports of the debates of the two Houses.

On motion by Mr. Hale,

Ordered, That when the Senate adjourn it be to Monday next.

Mr. Stuart presented a memorial of members of the Board of Education of the State of Michigan, and of the faculty of the Agricultural College of that State, praying a donation of land for the Agricultural College.

Ordered, That it lie on the table and be printed.

Mr. Broderick presented a resolution of the legislature of California, in favor of an additional allowance to the officers and men of the army while serving in the Pacific division, and also to the officers connected with the Light-house Board of that coast.

Ordered, That it be printed.

Mr. Broderick presented a resolution of the legislature of California, in favor of a uniform rate of postage, and the payment by the government for all free postage matter or the abolition of the franking privilege.

Ordered, That it lie on the table and be printed.

Mr. Broderick presented resolutions of the legislature of California, in behalf of William Grove Deal for relief given by him to the indigent sick at Sacramento city, California, in 1849 and 1850.

Ordered, That they lie on the table and be printed.

After the consideration of executive business,

The Senate adjourned.

MONDAY, DECEMBER 14, 1857.

The honorable Robert W. Johnson, from the State of Arkansas, attended.

The President *pro tempore* laid before the Senate a report of the Superintendent of Public Printing, showing the condition of the public printing ; which was read.

Ordered, That it lie on the table and be printed.

Mr. Allen submitted the following resolution ; which was considered, by unanimous consent, amended on the motion of Mr. Hale, and agreed to.

Resolved, That the Senate will, on Wednesday next, at one o'clock p. m., proceed to the appointment of the standing committees.

Mr. Evans announced the death of the honorable Andrew P. Butler,

late a senator from the State of South Carolina, which took place in the recess, and submitted the following resolutions; which were considered, by unanimous consent, and agreed to.

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of the honorable Andrew P. Butler, deceased, late a senator from the State of South Carolina, will go into mourning by wearing crape on the left arm for thirty days.

Resolved, unanimously, That, as an additional mark of respect for the memory of the honorable Andrew P. Butler, the Senate do now adjourn.

Ordered, That the Secretary communicate these resolutions to the House of Representatives.

Whereupon the Senate adjourned.

TUESDAY, DECEMBER 15, 1857.

The following message was received from the President of the United State by Mr. James Buchanan Henry, his secretary.

To the Senate and House of Representatives:

I transmit a copy of a letter, of the 30th of May last, from the commissioner of the United States in China, and of the decree and regulation which accompanied it, for such revision thereof as Congress may deem expedient, pursuant to the sixth section of the act approved the 11th of August, 1848.

JAMES BUCHANAN.

WASHINGTON, *December* 10, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

The President *pro tempore* laid before the Senate a report of the Secretary of the Interior, communicating, in obedience to law, a statement of the appropriations for the service of that department for the fiscal year ending 30th June, 1857; which was read.

Ordered, That it lie on the table and be printed.

The President *pro tempore* laid before the Senate copies of the journals of the house of representatives and council of the Territory of Nebraska of the third session of the general assembly of that Territory, with a copy of the laws, joint resolutions, and memorials passed by the said general assembly at the same session.

On motion by Mr. Mason,

Ordered, That they lie on the table.

Mr. Hale announced the death of the honorable James Bell, late a senator from the State of New Hampshire, which took place in the recess, and submitted the following resolutions; which were considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of

the honorable James Bell, deceased, late a senator from the State of New Hampshire, will go into mourning by wearing crape on the left arm for thirty days.

Resolved, unanimously, That, as an additional mark of respect for the memory of the honorable James Bell, the Senate do now adjourn.

Ordered, That the Secretary communicate these resolutions to the House of Representatives.

Whereupon the Senate adjourned.

WEDNESDAY, DECEMBER 16, 1857.

The President *pro tempore* laid before the Senate a letter of the Treasurer of the United States, communicating copies of his accounts for the third and fourth quarters of the year 1856, and the first and second quarters of the year 1857; which was read.

Ordered, That it lie on the table.

Mr. Allen submitted the following motion; which was considered, by unanimous consent, and agreed to:

Ordered, That the Senate will, to-morrow, at one o'clock, proceed to the election of a public printer to do the public printing for the 35th Congress, in accordance with the eighth section of the act to provide for executing the public printing and establishing the prices thereof, and for other purposes, approved the 26th August, 1852.

Mr. Davis submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to communicate to the Senate all correspondence between the Executive Department and the present governor of Kansas, together with such orders and instructions as have been issued to said governor in relation to the affairs of said Territory, together with the constitution and schedule referred to in the annual message.

Mr. Biggs submitted the following resolution; which was read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That when the two Houses adjourn on the 23d instant they adjourn to meet on Monday, the 4th of January next.

Mr. Allen submitted the following motion for consideration:

Ordered, That the members of the standing committees of the Senate be arranged as follows:

On Foreign Relations: Mr. Mason, chairman; Mr. Douglas, Mr. Slidell, Mr. Polk, Mr. Crittenden, Mr. Seward, and Mr. Foot.

On Finance: Mr. Hunter, chairman; Mr. Pearce, Mr. Gwin, Mr. Bright, Mr. Biggs, Mr. Fessenden, and Mr. Cameron.

On Commerce: Mr. Clay, chairman; Mr. Benjamin, Mr. Bigler, Mr. Toombs, Mr. Reid, Mr. Allen, and Mr. Hamlin.

On Military Affairs and the Militia: Mr. Davis, chairman; Mr. Fitzpatrick, Mr. Johnson, of Arkansas, Mr. Iverson, Mr. Broderick, Mr. Wilson, and Mr. King.

On Naval Affairs: Mr. Mallory, chairman; Mr. Thomson, of New Jersey, Mr. Slidell, Mr. Allen, Mr. Evans, Mr. Bell, and Mr. Hale.

On the Judiciary: Mr. Bayard, chairman; Mr. Toombs, Mr. Pugh, Mr. Benjamin, Mr. Green, Mr. Collamer, and Mr. Trumbull.

On Post Offices and Post Roads: Mr. Yulee, chairman; Mr. Bigler, Mr. Gwin, Mr. Fitch, Mr. Thomson, of New Jersey, Mr. Hale, and Mr. Dixon.

On Public Lands: Mr. Stuart, chairman; Mr. Johnson, of Arkansas, Mr. Pugh, Mr. Broderick, Mr. Johnson, of Tennessee, Mr. Foster, and Mr. Harlan.

On Private Land Claims: Mr. Benjamin, chairman; Mr. Biggs, Mr. Thompson, of Kentucky, Mr. Kennedy, and Mr. Durkee.

On Indian Affairs: Mr. Sebastian, chairman; Mr. Brown, Mr. Reid, Mr. Fitch, Mr. Bell, Mr. Houston, and Mr. Doolittle.

On Pensions: Mr. Jones, chairman; Mr. Thomson, of New Jersey, Mr. Clay, Mr. Bates, Mr. Thompson, of Kentucky, Mr. Foster, and Mr. King.

On Revolutionary Claims: Mr. Evans, chairman; Mr. Bates, Mr. Crittenden, Mr. Wilson, and Mr. Durkee.

On Claims: Mr. Iverson, chairman; Mr. Mallory, Mr. Polk, Mr. Simmons, and Mr. Clark.

On the District of Columbia: Mr. Brown, chairman; Mr. Mason, Mr. Johnson, of Tennessee, Mr. Bigler, Mr. Kennedy, Mr. Hamlin, and Mr. Chandler.

On Patents and the Patent Office: Mr. Reid, chairman; Mr. Evans, Mr. Yulee, Mr. Simmons, and Mr. Trumbull.

On Public Buildings and Grounds: Mr. Bright, chairman; Mr. Davis, Mr. Douglas, Mr. Bayard, and Mr. Clark.

On Territories: Mr. Douglas, chairman; Mr. Jones, Mr. Sebastian, Mr. Fitzpatrick, Mr. Green, Mr. Collamer, and Mr. Wade.

To Audit and Control the Contingent Expenses of the Senate: Mr. Evans, chairman; Mr. Wright, and Mr. Dixon.

On Printing: Mr. Johnson, of Arkansas, chairman; Mr. Fitzpatrick, and Mr. Cameron.

On Engrossed Bills: Mr. Wright, chairman; Mr. Bigler, and Mr. Harlan.

On Enrolled Bills: Mr. Jones, chairman; Mr. Brown, and Mr. Doolittle.

On the Library: Mr. Pearce, chairman; Mr. Bayard, and Mr. Hunter.

The Senate proceeded to consider the said motion, by unanimous consent; and,

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 30
Nays..... 19

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Clay, Davis, Douglas, Evans, Fitch, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee,

Jones, Kennedy, Mason, Polk, Pugh, Reid, Sebastian, Slidell, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Hale Hamlin, Harlan, King, Seward, Simmons, Sumner, Trumbull, Wade, Wilson.

So the motion was agreed to.

The Senate resumed the consideration of the resolution, submitted by Mr. Douglas the 8th instant, in relation to the printing of the message of the President of the United States; and,

After debate,

On motion by Mr. Douglas,

Ordered, That the further consideration thereof be postponed to Monday next, at one o'clock.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 17, 1857.

The honorable Sam Houston, from the State of Texas, and the honorable Stephen R. Mallory, from the State of Florida, attended.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a joint resolution (H. R. 1) in relation to the clergymen of the city of Washington who may officiate as chaplains of the Senate and House of Representatives; in which it requests the concurrence of the Senate.

Mr. Gwin presented a memorial of George Kippen and others, residents of southern New Mexico, praying for a separate territorial organization, under the name of Arizona; which was referred to the Committee on Territories.

Mr. Gwin presented the petition of Daniel Draper and William P. Draper, praying that a register may be granted to the barque Jehu, a Dominican vessel, lately called the Naiad Queen, bought of the Dominican government and repaired in the United States; which was referred to the Committee on Commerce.

Mr. Foot presented the petition of Catharine Lydia McLeod, only surviving child of Ebenezer Markham, a Canadian refugee, praying remuneration for the losses and sufferings of her father in aiding the cause of the American revolution; which was referred to the Committee on Revolutionary Claims.

Mr. Foot presented the memorial of Brevet Lieutenant Colonel B. S. Roberts, asking the Senate to reconsider its report on the first American flag raised on the national palace of Mexico; which was referred to the Committee on Military Affairs and the Militia.

Mr. Brown presented the petition of John A. Ragan, for himself and others, praying that they may be allowed to purchase from the government Lake Washington, in Mississippi, and Lake Point Cou-

pee in Louisiana, for the purpose of improving the breed of fish ; which was referred to the Committee on Public Lands.

Mr. Foot presented the petition of Mary D. Hayes and B. S. Fassett, praying to be allowed a pension on account of the services of John D. Alvey, deputy postmaster at headquarters of the army during the revolutionary war ; which was referred to the Committee on Revolutionary Claims.

Mr. Foot presented the petition of Asa Aikens, praying Congress to grant relief, by pensions or otherwise, to the surviving officers and soldiers of the war of 1812 ; which was referred to the Committee on Pensions.

On motion by Mr. Foot,

Ordered, That the memorial of Elias Hall, on the files of the Senate, be referred to the Committee on Claims.

Mr. Brown presented the petition of Amos Kendall and others, praying an annual appropriation of three thousand dollars for the support of the deaf and dumb asylum in the District of Columbia ; which was referred to the Committee on the District of Columbia.

Mr. Brown presented additional papers in relation to the claim of William B. Trotter ; which, with his petition on file, were referred to the Committee on Indian Affairs.

Mr. Brown presented additional papers in relation to the claim of Nannie Denman, widow of F. J. Denman ; which, with the papers on file, were referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Slidell,

Ordered, That John W. Chevis and others have leave to withdraw their petition and papers.

On motion by Mr. Hunter,

Ordered, That the petition of the Orange and Alexandria Railroad Company, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Hunter,

Ordered, That the petition of the legal representatives of Charles Porterfield, deceased, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

On motion by Mr. Hunter,

Ordered, That the report of the Secretary of the Treasury on the state of the finances be referred to the Committee on Finance.

On motion by Mr. Seward,

Ordered, That Hiram Paulding have leave to withdraw his petition and papers.

Mr. Seward presented the memorial of William H. Kennon, late a purser in the navy, praying to be allowed the same compensation that was received by his predecessor and successor on board the United States steam frigate Mississippi ; which was referred to the Committee on Naval Affairs

On motion by Mr. Seward,

Ordered, That Hall Neilson have leave to withdraw his petition and papers.

Mr. Benjamin presented the petition S. De Visser and Company,

praying the passage of an act abandoning, on the part of the government, all claims arising out of frauds of which they were innocent; which was referred to the Committee on Commerce.

On motion by Mr. Benjamin,

Ordered, That the petition of Tench Tilghman, on the files of the Senate, be referred to the Committee on Commerce.

On motion by Mr. Benjamin,

Ordered, That the petition and papers of Charles McCormick, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Benjamin,

Ordered, That the memorial of John Temple, and the memorial of Henry Volcker, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Benjamin,

Ordered, That the memorial of Alexander J. Atocha, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Wilson presented resolutions of the legislature of Massachusetts, in relation to the claim of that State against the United States for militia services during the last war with Great Britain; which were referred to the Committee on Claims and ordered to be printed.

Mr. Stuart presented a petition of citizens of Michigan, praying the abolition of the office of chaplain in the public service.

Ordered, That it lie on the table.

On motion by Mr. Stuart,

Ordered, That the petition of Joseph Loranger, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Stuart,

Ordered, That the memorial of the board of education and the faculty of the Agricultural College of the State of Michigan be referred to the Committee on Public Lands.

Mr. Pugh presented a petition of soldiers of the last war with Great Britain, praying that pensions may be allowed the soldiers of that war, or to their widows; which was referred to the Committee on Pensions.

On motion by Mr. Pugh,

Ordered, That the petition of Augustus Moor, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Thomson, of New Jersey,

Ordered, That the petition of Pamela Preswick, and the other heirs of William Wigton, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Mason,

Ordered, That the memorial of Thomas Ap Catesby Jones, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Mason presented the memorial of Richard Randolph, in behalf of John Slaughter, protesting against the adjudication of claims of citizens of Virginia by the Commissioner of the General Land Office; which was referred to the Committee on Revolutionary Claims.

On motion by Mr. Hale,

Ordered, That the petition of Nancy Read, widow of Levi Read, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Bayard,

Ordered, That Mary Bennett have leave to withdraw her petition and papers.

On motion by Mr. Iverson,

Ordered, That the memorial of Christine Barnard, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Iverson.

Ordered, That the memorial of George A. O'Brien, and the memorial of Eleazer Williams, on the files of the Senate, be referred to the Committee on Claims.

Mr. Iverson presented a letter of William D. Elam, asking the passage of an act to regulate pleadings in the district courts of the United States ; which was referred to the Committee on the Judiciary.

Mr. Iverson presented the memorial of Jonas P. Keller, praying compensation for services as general supervisor and watchman of the Winder building, in 1849 and 1850 ; which was referred to the Committee on Claims.

Mr. Iverson presented the petition of James Hudgins, son and administrator of Ruth Murphy, formerly widow of John Hudgins, a brigade quartermaster in the revolutionary army, praying to be allowed a pension ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Durkee presented the memorial of Anson Dart, late superintendent of Indian affairs in Oregon, praying the passage of an act authorizing the Commissioner of Indian Affairs to settle his account with the government on principles of equity and justice ; which was referred to the Committee on Indian Affairs.

Mr. Iverson presented the memorial of the heirs and representatives of Gaetano Carusi, praying the fulfilment of a contract made with said Carusi by Captain Hall, late of the marine corps of the United States ; which was referred to the Committee on Claims.

Mr. Polk presented a memorial of the legislature of Missouri, praying that the unsurveyed swamp lands in Missouri may be patented to that State without being surveyed ; which was referred to the Committee on Public Lands.

Mr. Polk presented a memorial of the legislature of Missouri, praying an appropriation of public lands to build a railroad from Springfield to Gibbs' Bluff, in that State ; which was referred to the Committee on Public Lands.

Mr. Evans presented a presentment of the grand jury of the United States for the district of South Carolina, in session at Charleston, recommending an appropriation for a new court-house at that place, and that provision be made for arranging the records of that court, and increasing the allowance for the maintenance of prisoners ; which was referred to the Committee on the Judiciary.

Mr. Evans presented a presentment of the grand jury of the United States district court at Greenville, South Carolina, recommending an

appropriation for a new court-house, and the appointment of commissioners, at suitable places, within the jurisdiction of that court ; which was referred to the Committee on the Judiciary.

On motion by Mr. Evans,

Ordered, That the memorial of the surviving children of Samuel Hammond, deceased, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

On motion by Mr. Jones,

Ordered, That the resolution of the legislature of Iowa, on the files of the Senate, in favor of a grant of land for a railroad from McGregor's Landing to the Missouri river, be referred to the Committee on Public Lands.

On motion by Mr. Jones,

Ordered, That the petition of John R. Nourse, on the files of the Senate, be referred to the Committee on Claims.

Mr. Gwin presented a memorial of a large number of citizens residing in the western portion of the Territory of Utah, praying the organization of a new Territory east of the Sierra Nevada mountains ; which was referred to the Committee on Territories.

Mr. Gwin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That so much of the President's message and accompanying documents as refer to the subject of a national railroad from the Mississippi valley to the Pacific ocean be referred to a select committee of nine members, to be appointed by the President ; and

The following committee was appointed :

Mr. Gwin, chairman ; Mr. Douglas, Mr. Bright, Mr. Davis, Mr. Hunter, Mr. Seward, Mr. Bell, Mr. Foot, and Mr. Iverson.

Mr. Slidell submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That a select committee of five be appointed by the President *pro tempore*, to examine into the condition of the corporations or associations acting as banks of deposit, discount, and issue in the District of Columbia, and the authority under which said corporations or associations assume to transact the business of banking, with power to send for persons and papers, and to examine witnesses under oath ; also, to inquire whether any, and what, further legislation is necessary to regulate and control banks of deposit, circulation, and issue in the District of Columbia, and to report by bill or otherwise ; and

The following committee was appointed :

Mr. Slidell, chairman ; Mr. Polk, Mr. Broderick, Mr. Thomson, of New Jersey, and Mr. Hale.

Mr. Seward submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President be requested, if compatible with the public interest, to communicate to the Senate copies of any correspondence which may have taken place between the Department of State and the British and French ministers on the subject of claims for losses alleged to have been sustained by subjects of Great Britain and France at the bombardment of Greytown.

Mr. Trumbull submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the credentials of the sitting members of this body from the State of Indiana, together with all the papers on file protesting against their right to seats, or relating to their election as senators in Congress by the legislature of Indiana, be referred to the Committee on the Judiciary.

Mr. Trumbull submitted the following resolution for consideration :

Resolved, That the President be requested to communicate to the Senate all correspondence between himself, or any of the departments, and any governor or other officer or person in the employment of the government in Kansas Territory, not heretofore communicated, together with all orders and instructions which have been issued to the governor of said Territory, or any other officer or person in said Territory, in relation to Kansas affairs.

Mr. Pugh submitted the following resolution for consideration :

Resolved, That the President be requested to communicate to the Senate copies of the following documents :

1. Return of the votes taken in Kansas Territory at the October election, 1856, upon the question of calling a convention to frame a constitution and state government.

2. Act of the territorial legislature (in obedience to that vote) calling such a convention, and providing for the apportionment and election of delegates to the same.

3. The census and registration of voters, by counties or precincts, as taken under that act.

4. The apportionment of delegates, made upon the return of such census and registration.

5. Returns of the elections, by counties, for delegates to the convention.

6. Returns of the last election, by counties, for members of the territorial legislature and a delegate in Congress.

7. Proclamations of the governor, or acting governor upon the subject of the census, registration of voters, and the several elections hereinbefore specified.

8. Journal of the convention held at Lecompton to frame a constitution and State government.

On motion by Mr. Evans,

Ordered, That the resolutions of the Chamber of Commerce of Charleston, South Carolina, presented the 8th instant, be referred to the Committee on Commerce.

Agreeably to notice, Mr. Foot asked and obtained leave to bring in a bill (S 1) for the relief of George P. Marsh ; which was read the first and second times, by unanimous consent, and referred, with the papers on file, to the Committee on Foreign Relations.

Agreeably to notice, Mr. Foot asked and obtained leave to bring in a bill (S. 2) granting a homestead of one hundred and sixty acres of the public land to actual settlers ; which was read the first and second times, by unanimous consent, referred to the Committee on Public Lands, and ordered to be printed.

Agreeably to notice, Mr. Brown asked and obtained leave to bring

in a bill (S. 3) to authorize notaries public to take and certify oaths, affirmations, and acknowledgments, in certain cases; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

Agreeably to notice, Mr. Pugh asked and obtained leave to bring in a bill (S. 4) to authorize writs of error in all cases prosecuted by indictment; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Agreeably to notice, Mr. Pugh asked and obtained leave to bring in a bill (S. 5) to provide for a survey of the Ohio river and its principal tributaries; which was read the first and second times, by unanimous consent, referred to the Committee on Commerce.

Agreeably to notice, Mr. Pugh asked and obtained leave to bring in a bill (S. 6) to continue the pension heretofore granted to Katharine M. Hamer; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Agreeably to notice, Mr. Pugh asked and obtained leave to bring in a bill (S. 7) for the improvement of navigation at the falls of the Ohio river; which was read the first and second times, by unanimous consent, referred to the Committee on Commerce, and ordered to be printed.

Agreeably to notice, Mr. Gwin asked and obtained leave to bring in a bill (S. 8) to organize the Territory of Arizona, and to create the office of surveyor general therein; to provide for the examination of private land claims, to grant donations to actual settlers, to survey the public and private lands, and for other purposes; which was read first and second times, by unanimous consent, referred to the Committee on Territories, and ordered to be printed.

Agreeably to notice, Mr. Gwin asked and obtained leave to bring in a bill (S. 9) to authorize and facilitate the construction of a northern, a southern, and a central Pacific railroad and magnetic telegraph through the Territories of the United States; which was read the first and second times, by unanimous consent, referred to the Select Committee on the Pacific Railroad, and ordered to be printed.

Agreeably to notice, Mr. Clay asked and obtained leave to bring in a bill (S. 10) repealing all laws, or parts of laws, allowing bounties to vessels employed in the bank or other cod fisheries; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Agreeably to notice, Mr. Jones asked and obtained leave to bring in a bill (S. 11) making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad from Keokuk and Fort Madison, through the southern tier of counties in said State, to the Missouri river; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Jones asked and obtained leave to bring in a bill (S. 12) making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad from McGregor's Landing to the western boundary of said State; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Hunter, from the Committee on Finance, reported a bill (S. 13) to authorize the issue of treasury notes; which was read and passed to the second reading.

Mr. Foot, agreeably to notice, asked and obtained leave to bring in a joint resolution (S. R. 1) as to the constitutional power of the President in the removal of commissioned officers of the army and navy; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

On motion by Mr. Johnson, of Arkansas, that the Senate reconsider the vote agreeing to the motion, submitted by Mr. Allen the 16th instant, in relation to the election of a public printer,

It was determined in the affirmative.

The Senate resumed the consideration of the said motion; and, having been amended on the motion of Mr. Johnson, of Arkansas, it was agreed to, as follows:

Ordered, That the Senate will now proceed to the election of a public printer to do the public printing for the 35th Congress, in accordance with the eighth section of the "Act to provide for executing the public printing and establishing the prices thereof, and for other purposes," approved the 26th August, 1852: *Provided, however*, That this election of a public printer is made on the express condition that the right is reserved in Congress to modify or repeal any or all existing laws on the subject of public printing, if it shall be deemed proper; and that no loss or damage to the person or parties elected as public printer, which may be alleged to have been sustained by reason of such modification or repeal, shall be allowed as constituting any claim for indemnity against Congress.

Whereupon

The Senate proceeded to the election of a public printer to do the public printing for the 35th Congress; and, on counting the ballots, it appeared that William A. Harris had a majority and was elected.

After the consideration of executive business,

The Senate adjourned.

FRIDAY, DECEMBER 18, 1857.

On motion by Mr. Polk,

Ordered, That the memorials of the legislature of Missouri, yesterday presented to the Senate, be printed.

Mr. Hamlin presented a petition of the surviving soldiers of the 3d regiment, 2d brigade of the 11th division of Massachusetts militia in the last war with Great Britain, praying to be allowed bounty land; which was referred to the Committee on Public Lands.

Mr. Hamlin presented the petition of John Wentworth praying that the pension he now receives may be made to commence from the time of his discharge; which was referred to the Committee on Pensions.

Mr. Fessenden presented the memorial of Rufus Dwinel, assignee of James Thomas, deceased, praying to be allowed interest on the amount of his claim; which was referred to the Committee on Claims.

Mr. Fessenden presented resolutions of the legislature of Maine, in relation to the decision of the Supreme Court of the United States in the case of Dred Scott.

Ordered, That they lie on the table and be printed.

Mr. Fessenden presented a resolution of the legislature of Maine, in favor of a law imposing severe penalties against the introduction or importation into this country of foreign paupers and criminals; which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. Fessenden presented the petition of John Pope, a captain in the navy, praying to be allowed the difference between the pay he received and that allowed to the commander of a squadron, during the time he performed the duties of that station; which was referred to the Committee on Naval Affairs.

Mr. Fessenden presented a resolution of the legislature of Maine, in relation to the bounty on cod fisheries; which was referred to the Committee on Commerce and ordered to be printed.

Mr. Fessenden presented a resolution of the legislature of Maine, in relation to the claims of citizens of the United States to indemnity for French spoliations.

Ordered, That it lie on the table and be printed.

Mr. King presented the memorial of the legal representatives of Seth Belknap, praying payment for work done on the fortification on Dauphin island; which was referred to the Committee on Claims.

Mr. Wilson presented resolutions of the legislature of Massachusetts, in favor of the recognition of Hayti and Liberia as sovereign and independent States; which were referred to the Committee on Foreign Relations and ordered to be printed.

Mr. Bigler presented the petition of Ann W. Butler, administratrix of General Richard Butler, complaining of what she thinks an unjust decision of the Court of Claims on the claim of said Butler for money loaned and services rendered the United States during the revolutionary war; which was referred to the Committee on Claims.

Mr. Bright presented the petition of Mary B. Renner, executrix of Daniel Renner, late of the firm of Renner and Heath, praying compensation for property destroyed by the British in 1814; which was referred to the Committee on Claims.

Mr. Hale presented the petition of Eliphalet Brown, jr., a master's mate in the Japan expedition, praying compensation for services rendered by him as an artist in that expedition; which was referred to the Committee on Naval Affairs.

On motion by Mr. Hamlin,

Ordered, That the petition of Lemuel Worster, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Mason,

Ordered, That the memorial of Anton L. C. Portman, on the files of the Senate, be referred to the Committee on Foreign Relations.

On motion by Mr. Gwin,

Ordered, That the petition of Charles D. Maxwell, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Seward,

Ordered, That the memorial of David Ogden, on the files of the Senate be referred to the Committee on Finance.

On motion by Mr. Gwin,

Ordered, That the memorial of Joseph K. Boyd, and the memorial of Susan Decatur, with the papers on the files of the Senate relating to the claims of the captors of the frigate Philadelphia, be referred to the Committee on Claims.

On motion by Mr. Bigler,

Ordered, That the memorial of Franklin Peale, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Bigler,

Ordered, That the petition of John Hughes, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Brown,

Ordered, That the memorial of the Board of Trustees of public schools in the city of Washington, on the files of the Senate, be referred to the Committee on the District of Columbia.

On motion by Mr. Brown,

Ordered, That the memorial of Michael Nash, on the files of the Senate, be referred to the Committee on the District of Columbia.

On motion by Mr. Polk,

Ordered, That the memorial of Anthony S. Robinson, heir of John H. Robinson, on the files of the Senate, be referred to the Committee on Claims.

Mr. Gwin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of issuing a register to the steamer Fearless.

Mr. Iverson submitted the following motion ; which was considered, by unanimous consent, and agreed to :

Ordered, That the reports and bills, together with the adverse reports, heretofore received from the Court of Claims and not finally acted upon, and the reports and bills, together with the adverse reports, received from the Court of Claims on the 10th instant, be referred to the Committee on Claims to consider and report thereon, and that said reports and bills be printed.

Mr. Seward submitted the following resolution ; which was considered by unanimous consent, and agreed to :

Resolved, That the President be requested, if compatible with the public interest, to communicate to the Senate copies of any correspondence which may have taken place between the Department of State and the minister of Bremen on the subject of claims for losses alleged to have been sustained by subjects of the Hanse Towns at the bombardment of Greytown.

Mr. Green asked, and by unanimous consent, obtained leave to bring in a bill (S. 14) to confirm the title in a certain tract of land, in the State of Missouri, to the heirs and legal representatives of Thomas

Maddin, deceased; which was read the first and second times, by unanimous consent, and referred, with the petition and papers on file to the Committee on Private Land Claims.

Agreeably to notice, Mr. Douglas asked and obtained leave to bring in a bill (S. 15) to authorize the people of the Territory of Kansas to form a constitution and State government, preparatory to their admission into the Union, on an equal footing with the original States; which was read the first and second times, by unanimous consent, referred to the Committee on Territories, and ordered to be printed.

Mr. Green asked and, by unanimous consent, obtained leave to bring in a bill (S. 16) to amend "An act to provide for the payment for horses and other property lost or destroyed in the military service of the United States," approved March 3, 1849; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Bright asked and, by unanimous consent, obtained leave to bring a bill (S. 17) to divide the State of Indiana into two judicial districts, and to provide for holding the district and circuit courts of the United States therein; which was read the first and second times, by unanimous consent, referred to the Committee on the Judiciary, and ordered to be printed.

On motion by Mr. Bright,

Ordered, That the bill (S. 5) to provide for a survey of the Ohio river and its principal tributaries be printed.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Pugh, in relation to affairs in Kansas; and

The resolution was agreed to.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Trumbull, in relation to affairs in Kansas; and

The resolution was agreed to.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: I am directed by the House of Representatives to communicate to the Senate information of the death of the honorable John G. Montgomery, late a member of the House of Representatives from the State of Pennsylvania, and the proceedings of the House thereon.

Mr. Bigler submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of the honorable John G. Montgomery, deceased, late a representative elect from the State of Pennsylvania, will go into mourning by wearing crape on the left arm for thirty days.

The bill (S. 13) to authorize the issue of Treasury notes was read the second time and considered as in Committee of the Whole; and,

After debate,

The Senate adjourned.

SATURDAY, DECEMBER 19, 1857.

The President *pro tempore* laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, an estimate for a fort at New Inlet, North Carolina; which was read.

Ordered, That it be referred to the Commerce on Commerce and be printed.

Mr. Thomson, of New Jersey, presented the petition of the heirs of Isaac and Sarah Blauvelt, praying to be allowed a pension for the services of Isaac Blauvelt in the revolutionary war; which was referred to the Committee on Pensions.

Mr. Thomson, of New Jersey, presented the petition of the heirs of Mary Hopper, widow of John A. Hopper, a revolutionary officer, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Seward presented the petition of Lucretia Bell, heir of Abram Van Buskirk, a soldier in the revolutionary war, praying to be allowed a pension; which was referred to the Committee on Revolutionary Claims.

Mr. Seward presented a petition of citizens of New York, praying that the territory recently purchased from Mexico may be separated from the Territory of New Mexico and erected into a new Territory, under the name of Arizona; which was referred to the Committee on Territories.

Mr. Mallory presented the petition of Fanny Tyler, widow of Lieutenant William H. Tyler, of the army, praying to be allowed half pay for five years from the death of her husband; which was referred to the Committee on Pensions.

Mr. Mallory presented the memorial of William Heine, praying compensation for services as an artist in the Japan expedition; which was referred, with the papers on file, to the Committee on Naval Affairs.

On motion by Mr. Fessenden,

Ordered, That the petition of Ephraim Hunt, and the petition of Abigail Nason, on the files of the Senate, be referred to the Committee on Claims.

Mr. Fessenden presented an additional paper in relation to the claim of Miles Devine; which, with his petition on file, was referred to the Committee on Claims.

On motion by Mr. Davis,

Ordered, That the memorial of Benjamin Alvord, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

The joint resolution (H. R. 1) in relation to the clergymen of the city of Washington who may officiate as chaplains of the Senate and House of Representatives, was read the first and second times, by unanimous consent, and referred to the Committee on the Library.

Mr. Crittenden submitted the following resolution; which was read and ordered to be printed:

Resolved, by the Senate, That, in consideration of the financial condition of the country and its industrial interests as well as of the wants and embarrassments of the treasury of the United States, the rates of duty levied under the tariff act of the 3d of March, 1857, ought to be materially increased.

Resolved, further, That experience having demonstrated that the present mode of ascertaining the dutiable value of imported goods is productive of monstrous frauds, injurious alike to the government and the honest importer, a system of home valuation ought to be immediately substituted therefor.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a joint resolution (H. R. 2) to amend an act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856; in which it requests the concurrence of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 13) to authorize the issue of treasury notes; and, an amendment being proposed by Mr. Fessenden.

After debate,

On motion by Mr. Trumbull, that the Senate adjourn,

It was determined in the negative, { Yeas.. 18
Nays. 27

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Hale, Harlan, King, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Biggs, Bigler, Broderick, Brown, Clay, Davis, Evans, Fitch, Fitzpatrick, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Thomson, of New Jersey, Wright

After further debate,

On motion by Mr. Chandler, that the Senate adjourn,

It was determined in the negative, { Yeas..... 13
Nays 26

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Chandler, Clark, Collamer, Dixon, Doolittle, Fessenden, King, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Broderick, Brown, Clay, Davis, Evans, Fitch, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Thomson, of New Jersey.

On motion by Mr. Fessenden, to amend the bill, section 10, line 5, at the end thereof insert:

And provided further, That the power to issue and reissue treasury notes conferred on the President of the United States by this act shall cease and determine on the first day of January, 1859 ;

It was determined in the affirmative.

On motion by Mr. Seward, to amend the bill, section 1, line 6, strike out "twenty" and insert *ten* ;

It was determined in the negative, { Yeas 15
Nays 24

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Chandler, Clark, Collamer, Dixon, Doolittle, Fessenden, Hamlin, King, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Broderick, Brown, Clay, Davis, Fitch, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mason, Pearce, Polk, Reid, Thomson, of New Jersey, Wright.

On motion by Mr. Seward, to amend the bill by striking out, in section 2, line 10, "six" and inserting *four-and-a-half* ;

It was determined in the negative, { Yeas 17
Nays 24

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Fessenden, Foot, Hale, Hamlin, King, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Broderick, Clay, Davis, Fitch, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mason, Pearce, Polk, Reid, Thomson, of New Jersey, Wright.

On motion by Mr. Wilson, to amend the bill, section 1, line 7, by striking out "fifty" and inserting *one hundred* ;

It was determined in the affirmative.

On motion by Mr. Pugh, to amend the bill, section 1, line 4, after the word "notes," insert *payable to order* ; section 5, line 2, strike out "assignment endorsed" and insert *special endorsement* ; section 5, line 3, at the end thereof, insert *and by subsequent special endorsement of each holder* ;

It was determined in the negative, { Yeas 14
Nays 30

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Brown, Clay, Collamer, Davis, Evans, Fitch, Fitzpatrick, Hamlin, Johnson, of Tennessee, King, Pugh, Simmons, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Broderick, Clark, Crittenden, Dixon, Doolittle, Fessenden, Green, Hale, Harlan, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Seward, Stuart, Thomson, of New Jersey, Wilson, Wright.

The bill, having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas..... 31
Nays..... 18

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Crittenden, Douglas, Evans, Fitch, Fitzpatrick, Foot, Green, Hale, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Seward, Stuart, Thomson, of New Jersey, Wilson, Wright.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Davis, Dixon, Doolittle, Durkee, Fessenden, Hamlin, Harlan, Johnson, of Tennessee, King, Pugh, Simmons, Trumbull, Wade.

So it was

Resolved, That the bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The joint resolution (H. R. 2) to amend the act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856, was read the first and second times, by unanimous consent.

On motion by Mr. Bayard, that it be referred to the Committee on Finance.

It was determined in the negative.

The Senate proceeded to consider the resolution as in Committee of the Whole.

On motion by Mr. Douglas,

The Senate adjourned.

MONDAY, DECEMBER 21, 1857.

The Vice President of the United States attended.

The Vice President laid before the Senate a letter of the secretary of Washington Territory, communicating copies of the laws passed at the session of the legislative assembly of the Territory of Washington, begun and held at Olympia, December 1, 1856; which was read.

Mr. Kennedy presented the petition of Henrietta Carroll, widow of

William Carroll, praying to be allowed bounty land for the services of her husband during the last war with Great Britain; which was referred to the Committee on Public Lands.

On motion by Mr. Kennedy,

Ordered, That the heirs of Andrew Leitch have leave to withdraw the papers on file in relation to their claim.

Mr. Stuart presented the petition of Sarah Lovejoy, widow of Joshua Lovejoy, praying remuneration for property destroyed by the enemy during the last war with Great Britain; which was referred to the Committee on Claims.

Mr. Stuart presented a petition of citizens of Copper Harbor, Lake Superior, praying the establishment of a separate Indian agency for the Indians of Lake Superior; which was referred to the Committee on Indian Affairs.

Mr. Foster presented the petition of Nathan Scholfield, praying an extension of his patent; which was referred to the Committee on Patents and the Patent Office.

Mr. Mason presented the petition of the Alexandria, Loudon and Hampshire Railroad Company, praying the erection of a bridge on the piers of the Potomac aqueduct, and that the company may be allowed to extend a branch of their road into the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. Mason presented a petition of members of the bar of the circuit and criminal courts of the District of Columbia, praying that the salary of the judge of the criminal court may be increased; which was referred to the Committee on the Judiciary.

Mr. Seward presented the petition of R. S. Hamilton and J. E. L. Hamilton, heirs of Josiah Locke, an officer in the revolutionary war, praying to be allowed a pension; which was referred to the Committee on Revolutionary Claims.

Mr. Thomson, of New Jersey, presented the petition of Albert G. Hopper and Nancy Baldwin, heirs of Garrett A. Hopper, a soldier in the revolutionary war, praying the payment of a pension due them; which was referred to the Committee on Pensions.

Mr. Fitch presented a memorial of citizens of Allen county, Indiana, praying the construction of a ship canal around the falls of Niagara; which was referred to the Committee on Commerce.

Mr. Hunter presented a memorial of heirs of revolutionary officers of the continental line, praying the repeal of the acts of limitation of 1792 and 1793, in order that the Court of Claims may pass upon their claims; which was referred to the Committee on Revolutionary Claims.

On motion by Mr. Iverson,

Ordered, That the petition of Charles F. Bruckner, administrator of William White, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Gwin presented the petition of Isaac Swain, praying the payment of a balance of his claim for damages in consequence of the loss of the ship Ellen Brooks and cargo, rejected by the Court of Claims; which was referred to the Committee on Claims.

Mr. Fessenden presented the petition of Joseph Morrow, a soldier

in the last war with Great Britain, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Harlan presented the petition of Richard E. Randolph, praying to be allowed bounty land for services in the Florida war, in the year 1856 ; which was referred to the Committee on Pensions.

On motion by Mr. Davis,

Ordered, That the petition of Major E. B. Babbitt, the petition of Lieutenant James G. Benton, and the petition of Brevet Major James Longstreet, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Slidell presented a memorial of the National Institution for the promotion of Science, at Washington City, praying the aid of government to enable that institution to retain and support, in a suitable manner, the collections in its keeping ; which was referred to the Committee on the District of Columbia.

Mr. Johnson, of Arkansas, submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Printing :

Resolved, That the usual number of copies, and fifteen thousand additional copies, of the annual message of the President of the United States, and accompanying documents, be printed for the use of the Senate.

Mr. Johnson, of Arkansas, submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Printing :

Resolved, That the annual report of the Secretary of the Treasury on the finances, with the documents communicated therewith, be printed, and that ten thousand additional copies of the same be printed for the use of the Senate, and five hundred additional copies for the use of the Treasury Department.

The Senate resumed the consideration of the motion submitted by Mr. Douglas the 8th instant, to print the message of the President of the United States with the accompanying documents ; and

Mr. Douglas obtained leave, by unanimous consent, to withdraw the same.

Whereupon

A motion was submitted by Mr. Douglas, that so much of the message of the President of the United States as relates to the affairs of Kansas be referred to the Committee on Territories ; which was read.

The Senate proceeded to consider the resolution submitted by Mr. Biggs the 16th instant, in relation to the temporary adjournment of the two Houses of Congress ; and,

On the question to agree thereto,

It was determined in the affirmative, { Yeas.....34
Nays.....12

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bell, Benjamin, Biggs, Bigler, Bright, Broderick, Chandler, Clay, Davis, Dixon, Doolittle, Durkee, Evans, Fitch, Fitzpatrick, Foot, Foster, Hale, Houston, Hunter, Iverson, Johnson, of

Arkansas, Jones, Kennedy, King, Mason, Pugh, Reid, Seward, Thomson, of New Jersey, Trumbull, Wilson, Wright.

Those who voted in the negative are,

Messrs. Allen, Brown, Clark, Collamer, Fessenden, Green, Gwin, Hamlin, Johnson, of Tennessee, Polk, Stuart, Wade.

So the resolution was agreed to.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Gwin, from the select committee on the Pacific railroad, reported the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the select committee on the Pacific railroad be authorized to employ a clerk, at the usual compensation.

Mr. Jones submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation for the construction of a custom-house at Keokuk, in the State of Iowa ; also, as to the propriety of making Sioux City, in said State, a port of delivery, and of making an appropriation for the construction of a custom-house at the latter place.

Mr. Wilson asked and, by unanimous consent, obtained leave to bring in a bill (S. 18) to appropriate one million of acres of the public lands of the United States for the benefit of free public schools in the District of Columbia ; which was read and passed to the second reading.

The said bill was read the second time and considered as in Committee of the Whole.

On motion by Mr. Wilson,

Ordered, That it lie on the table and be printed.

Agreeably to notice, Mr. Wright asked and obtained leave to bring in a bill (S. 19) to continue the improvement in the harbor of Newark, New Jersey ; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 20) to amend an act entitled "An act to provide for holding the courts of the United States in the case of sickness or other disability of the judges of the district courts," passed July 29, 1856 ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a bill (S. 21) to divide the State of Iowa into two judicial districts ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Jones presented a petition of citizens of Sioux City, Iowa, praying the passage of an act authorizing the entry of a portion of the lands on which that city is situated ; which was referred to the Committee on Public Lands.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a bill (S. 22) for the relief of certain citizens of Sioux City, in the

State of Iowa; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Benjamin submitted the following resolution for consideration:

Resolved, That each of the standing committees of the Senate enumerated in the 34th rule be authorized to employ a clerk, with the exception of the four following committees, which shall not be entitled to a clerk, to wit:

1. The Committee on the Library;
2. The Committee on Engrossed Bills;
3. The Committee on Enrolled Bills;
4. The Committee to Audit and Control the Contingent Expenses of the Senate.

And the clerks so employed shall receive a compensation of six dollars per diem during the time of their actual service.

The Senate proceeded, by unanimous consent, to consider the said resolution; and, an amendment being proposed by Mr. Evans,

On motion by Mr. Bright,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the motion submitted by Mr. Douglas, to refer so much of the message of the President of the United States as relates to the affairs of Kansas to the Committee on Territories; and,

After debate,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (H. R. 2) to amend an act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856.

On motion by Mr. Bayard, to amend the resolution by inserting at the end of the first section:

Provided, That this resolution shall not be held to apply to any senator or representative whose right to his seat is contested by another person claiming the same, when the claim is made within twenty days after the commencement of the first session and remains undecided;

It was determined in the negative, { Yeas..... 13
Nays..... 25

On motion by Mr. Bayard,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Clay, Davis, Fessenden, Fitzpatrick, Foster, Harlan, Pearce, Polk, Seward, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Biggs, Brown, Chandler, Clark, Dixon, Doolittle, Durkee, Foot, Green, Hale, Houston, Hunter, Iverson, Kennedy, King, Mason, Pugh, Reid, Sebastian, Simmons, Slidell, Stuart, Thomson, of New Jersey, Wright.

No amendment being made, the resolution was reported to the Senate.

On the question, Shall the resolution be read a third time?

It was determined in the affirmative, { Yeas..... 26
Nays 13

On motion by Mr. Bayard,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Biggs, Broderick, Brown, Chandler, Clark, Doolittle, Durkee, Fitch, Foot, Green, Hale, Harlan, Houston, Hunter, Iverson, Kennedy, King, Mason, Polk, Pugh, Sebastian, Simmons, Stuart, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Clay, Davis, Dixon, Fessenden, Fitzpatrick, Foster, Reid, Seward, Slidell, Trumbull, Wilson.

The resolution was read a third time.

Resolved, That the resolution pass.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 22, 1857.

The Vice President laid before the Senate a copy of the laws of the Territory of Kansas, passed at the second session of the general legislative assembly of the Territory, begun and held at the city of Leecompton, on the second Monday of January, 1857.

On motion by Mr. Collamer,

Ordered, That they be referred to the Committee on Territories.

The Vice President presented the petition of William B. Davis, praying that the Commissioner of the General Land Office may be required to make a statement showing the Territories acquired since the revolution, and the number of square miles in each, for publication; which was referred to the Committee on Public Lands.

The Vice President presented a resolution of the Academy of Natural Sciences of Philadelphia, in favor of the publication of the report of the geological survey of the Territories of Oregon and Washington, made by Dr. John Evans; which was referred to the Committee on Public Lands.

Mr. Chandler presented a resolution of the legislature of Michigan, in favor of the division of that State into two judicial districts; which was referred to the Committee on the Judiciary and ordered to be printed.

On motion by Mr. Pearce,

Ordered, That the petition of Susanna T. Lea, widow and executrix of James Maglennen, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Trumbull presented the petition of Sarah Bronson, only child and heir of John Bronson, deceased, praying compensation for property destroyed during the last war with Great Britain; which, with the

papers on file, was referred to the Committee on Military Affairs and the Militia.

Mr. Trumbull presented the petition of Alexander Miller, one of the heirs of Alexander Miller, deceased, praying remuneration for property destroyed during the last war with Great Britain ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Foster presented the petition of G. A. Breast, praying a pension on account of injuries received while in the service of the United States at the Washington navy yard ; which was referred to the Committee on Pensions.

On motion by Mr. Jones,

Ordered, That the memorial of William Money, on the files of the Senate, be referred to the Committee on Claims.

Mr. Gwin presented the petition of A. W. McPherson, praying to be paid for fitting up and furnishing rooms for the United States district court at San Francisco ; which was referred to the Committee on Claims.

On motion by Mr. Gwin,

Ordered, That the petition of Joseph Hill and sons, and the petition of W. M. Ryer, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Thomson, of New Jersey,

Ordered, That the petition of Mary C. Hamilton, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Thomson, of New Jersey,

Ordered, That the petition of J. Willcox Jenkins, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Fessenden,

Ordered, That the memorial of George M. Weston, commissioner of the State of Maine, appointed to present the claims of that State against the United States, under the fourth article of the treaty of Washington, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Durkee,

Ordered, That the petition of William Blake, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Cameron presented the memorial of James Page and others, citizens of Philadelphia, praying that the post office in that city may be located on the site of the present custom-house, and the custom-house transferred to the site selected for the post office ; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Sebastian,

Ordered, That the petition of Johnson K. Rogers, on the files of the Senate, be referred to the Committee on Claims.

Mr. Green presented a memorial of the legislature of Missouri, praying that the land on Wolf island, in the Mississippi river, may be sold by the United States, to settle the question in dispute between that State and the State of Kentucky as to the jurisdiction of that island.

Ordered, That it lie on the table and be printed.

Mr. Johnson, of Tennessee, presented a memorial of W. S. Mun-

day, J. Knox Walker, and others, members of the legislature of Tennessee, praying protection to the overland mail route through Arizona; which was referred to the Committee on Post Offices and Post Roads.

Mr. Houston presented a resolution of the legislature of Texas, in favor of the raising and equipment of a regiment of Texas mounted volunteers for the protection of the western frontier of that State; which was referred to the Committee on Military Affairs and the Militia.

Mr. Douglas presented a memorial of J. Grimes, C. A. Wright, and other citizens of Illinois, praying that protection may be extended to the overland mail route to California through the Arizona territory; which was referred to the Committee on Territories.

Mr. Douglas presented a memorial of James M. Wright and others, citizens of Illinois, praying that protection may be extended to the overland mail route to California through the Arizona territory; which was referred to the Committee on Territories.

Mr. Polk presented the petition of Horace E. Dimick, praying that an appropriation may be made to test his improvement of the rifled cannon for throwing solid shot and shells; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Broderick,

Ordered, That the memorial of Edward D. Reynolds, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Foster,

Ordered, That Huldah Butler have leave to withdraw her petition and papers.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post route from Gainsville, in Arkansas, to Greenville, in Missouri, and report by bill or otherwise.

Mr. Gwin submitted a resolution; which was considered by unanimous consent, and, having been amended on the motion of Mr. Collamer, was agreed to, as follows:

Resolved, That the President of the Senate be authorized to assign a furnished room in the Capitol extension for the sessions of the select committee on the Pacific railroad, and that the Committee on Public Buildings inquire and report to the Senate a plan for assigning the rooms in the addition to the Capitol, appropriated to the use of the Senate.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Court of Claims be requested to return to the Senate the papers in relation to the claim of Amos and John E. Kendall, referred to that court by an order of the Senate of the 10th July, 1856.

Mr. Slidell submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to communicate to the Senate the records of proceedings of the several naval courts of inquiry organized under the act of Congress approved January 16, 1857, to amend an act entitled "An act to promote the efficiency of the navy."

On motion by Mr. Crittenden, that the Senate reconsider the vote agreeing to the said resolution,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the resolution submitted by Mr. Crittenden the 19th instant, in relation to the rates of duty imposed under the tariff act of 3d March, 1857, and a system of home valuation; and,

On motion by Mr. Crittenden,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed the consideration of the resolution submitted by Mr. Benjamin the 21st instant, in relation to the employment of clerks by the standing committees of the Senate; and,

On motion by Mr. Fessenden,

Ordered, That it lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Seward the 10th instant, in relation to the faithful performance of contracts for reporting debates of the two Houses; and, having been amended, it was agreed to, as follows:

Resolved, That the Joint Committee on Printing inquire and report whether any new provisions of law are necessary to secure a faithful performance of the existing contracts which provide for accurate reports of the debates of the two Houses.

Mr. Wade submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War communicate to the Senate what estimates, if any, have been made for the improvement of the following harbors on Lake Erie, respectively, to wit: Buffalo, Dunkirk, Erie, Conneaut, Ashtabula, Grand river, Cleveland, Black river, Vermillion, Sandusky bay, La Plaisance bay or River Raisin, and Maumee bay.

Agreeably to notice, Mr. Crittenden asked and obtained leave to bring in a bill (S. 23) for the relief of Robert Dickson, of the Kentucky volunteers; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Agreeably to notice, Mr. Wilson asked and obtained leave to bring in a bill (S. 24) to secure to actual settlers the alternate sections of the public lands reserved in the grants to the States for railroads; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Johnson, of Tennessee, by unanimous consent, asked and obtained leave to bring in a bill (S. 25) to grant to every person who is the head of a family, and a citizen of the United States, a homestead of one hundred and sixty acres of land out of the public domain, upon the condition of occupancy and cultivation of the same, for the period

herein specified; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Fitzpatrick, by unanimous consent, asked and obtained leave to bring in a bill (S. 26) to provide for the examination and payment of certain claims of citizens of Georgia and Alabama, on account of losses sustained by depredations of the Creek Indians; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Clay, by unanimous consent, asked and obtained leave to bring in a bill (S. 27) to detach Selma, in the State of Alabama, from the collection district of New Orleans, and make it a port of delivery within the collection district of Mobile; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred a memorial of Alexander J. Atocha, submitted a report, (No. 1,) accompanied by a bill (S. 28) for the relief of Alexander J. Atocha.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Foot, from the Committee on Foreign Relations, to whom was referred a bill (S. 1) for the relief of George P. Marsh, reported it without amendment.

Mr. Foot also submitted a report (No. 2) on the subject; which was ordered to be printed.

Mr. Jones reported from the committee that they had examined and found duly enrolled the joint resolution (H. R. 2) to amend the act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled joint resolution, (H. R. 2,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled joint resolution (H. R. 2) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

Mr. Jones reported from the committee that they this day presented to the President of the United States an enrolled joint resolution (H. R. 2) to amend the act entitled "An Act to regulate the compensation of members of Congress," approved August 16, 1856.

The Senate resumed the consideration of the motion, submitted by Mr. Douglas the 21st instant, to refer so much of the message of the President of the United States as relates to the Territory of Kansas to the Committee on Territories; and,

After debate,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, DECEMBER 23, 1857.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 13) to authorize the issue of treasury notes; and it concurs in the resolution of the Senate for a temporary adjournment of the two Houses of Congress.

Mr. Stuart presented a petition of citizens of Saint Louis county, Minnesota, praying the establishment of an Indian agency for the Indian bands of Lake Superior; which was referred to the Committee on Indian Affairs.

Mr. Stuart presented a resolution of the legislature of Michigan, in favor of a division of that State into two judicial districts.

Ordered, That it lie on the table and be printed.

Mr. King presented a petition of the New York State Agricultural College, praying an appropriation of public lands for an agricultural college in each of the States of the Union; which was referred to the Committee on Public Lands.

Mr. Foster presented a petition of citizens of Berlin, Connecticut, praying the adoption of measures for the peaceful extinction of slavery, by a fair and ample compensation to the owners of slaves for their manumission; which was referred to the Committee on the Judiciary.

On motion by Mr. Mason, the vote referring the said petition to the Committee on the Judiciary was reconsidered; and

On motion by Mr. Mason,

Ordered, That the petition lie on the table.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War communicate to the Senate the estimates which have at any time been made for improvements of rivers and harbors within the State of New York.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (S. 13) to authorize the issue of treasury notes.

Agreeably to notice, Mr. Mason asked and obtained leave to bring in a bill (S. 29) for the relief of William K. Jennings and others; which was read the first and second times, by unanimous consent, and referred to the Committee on Foreign Relations.

On motion by Mr. Mason,

Ordered, That the petition of William K. Jennings and A. W. Jennings, legal representatives of William Bean; the petition of the heir of Edward Rudd; the petition of Ann Robinson; the petition of Henry A. Wise; and the petition of Mary Martin, late widow of Robert Lindsay, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Bayard asked and, by unanimous consent, obtained leave to bring in a bill (S. 30) for the relief Elizabeth Montgomery, heir of Hugh Montgomery; which was read the first and second times, by

unanimous consent, and referred, with her petition and papers on file, to the Committee on Revolutionary Claims.

Mr. Davis asked and, by unanimous consent, obtained leave to bring in a bill (S. 31) authorizing the establishment of a navy yard and depot at the harbor of Ship Island, in the Gulf of Mexico ; which was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 2) to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California ; which was read the first and second times, by unanimous consent, and referred to the Committee on Claims.

Mr. Gwin presented papers in support of the claim of C. Homer to compensation for work on the United States marine hospital at San Francisco, not required by his contract ; which were referred to the Committee on Claims.

On motion by Mr. Mason,

Ordered, That so much of the President's message as relates to the relations between the United States and foreign powers be referred to the Committee on Foreign Relations.

On motion by Mr. Davis,

Ordered, That so much of the President's message as relates to military affairs be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Stuart,

Ordered, That so much of the President's message as relates to the public lands be referred to the Committee on Public Lands.

On motion by Mr. Bayard,

Ordered, That so much of the President's message as relates to the judiciary of the United States be referred to the Committee on the Judiciary.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President : The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of its President.

The Senate resumed the consideration of the resolution, submitted by Mr. Benjamin the 21st instant, to authorize the standing committees of the Senate to employ clerks.

On motion of Mr. Bright, to amend the resolution by striking out all after the word "resolved" and inserting :

That the clerks of all the standing committees shall be permanent, and the clerks of the Committees on Finance, Printing, and Claims shall receive an annual salary of eighteen hundred dollars ; the clerks of all the other committees, except the Committees on the Library, on Engrossed Bills, on Enrolled Bills, and the Committee to Audit and Control the Contingent Expenses of the Senate, shall receive an annual salary of fifteen hundred dollars ;

It was determined in the negative, { Yeas..... 7
Nays 35

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Bright, Davis, Douglas, Mason, Pugh, Sebastian.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Biggs, Broderick, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, Kennedy, Pearce, Polk, Reid, Seward, Simmons, Slidell, Thomson, of New Jersey, Trumbull, Wade, Wilson.

The resolution, having been amended on the motion of Mr. Evans, was agreed to, as follows:

Resolved, That each of the standing committees of the Senate enumerated in the 34th rule be authorized to employ a clerk, with the exception of the four following committees, which shall not be entitled to a clerk, to wit:

1. The Committee on the Library;
2. The Committee on Engrossed Bills;
3. The Committee on Enrolled bills;
4. The Committee to Audit and Control the Contingent Expenses of the Senate.

And that the clerks so employed shall receive a compensation of six dollars per diem during the sessions of Congress, except the Committees of Finance, Claims, and Printing, whose clerks shall receive an annual compensation of \$1,850 each.

The Vice President signed the enrolled bill (S. 13) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The Vice President laid before the Senate a letter from the Court of Claims, returning, in compliance with a resolution of the Senate, the petition and papers of Amos and John E. Kendall; which was read.

On motion by Mr. Hamlin,

Ordered, That the petition and papers of Amos and John E. Kendall, be referred to the Committee on Indian Affairs.

Mr. Mason presented a petition of the operative bookbinders of the city of Washington, praying the enactment of a law requiring the public binding, in all its parts, to be done in the city of Washington; which was referred to the Committee on Printing.

Mr. Cameron presented the petition of Craton W. Brant, praying to be allowed bounty land for services in the Mexican war as a mechanic; which was referred to the Committee on Public Lands.

Mr. Cameron presented papers in relation to the claim of William Smith, a teamster in the Mexican war, to bounty land; which were referred to the Committee on Public Lands.

Mr. Cameron presented the petition of Andrew Chapman, son of George Chapman, a soldier in the revolution, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Cameron presented a memorial of the religious society of Pro-

gressive Friends, at a quarterly meeting held at Longwood, Chester county, Pennsylvania, in relation to slavery.

Ordered, That it lie on the table.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 32) to repeal an act entitled "An act authorizing the Secretary of the Treasury to change the names of vessels in certain cases," approved 5th March, 1856; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing.

Resolved, That two thousand copies of the last annual report of the Commissioner of Indian Affairs, with the accompanying documents, be printed and bound for the use of the Indian office.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (S. 13) to authorize the issue of treasury notes.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States this day approved and signed an act (S. 13) to authorize the issue of treasury notes, and a joint resolution (H. R. 2) to amend the act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed the consideration of the motion, submitted by Mr. Douglas the 21st instant, to refer so much of the message of the President of the United States as relates to the Territory of Kansas to the Committee on Territories; and,

After debate,

On motion by Mr. Brown,

Ordered, That the further consideration thereof be postponed until Monday, the 4th of January next.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

In answer to resolutions of the Senate of the 16th and 18th instant, requesting correspondence and documents relative to the Territory of Kansas, I transmit a report from the Secretary of State, and the papers by which it was accompanied.

JAMES BUCHANAN.

WASHINGTON, December 22, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States :

I herewith transmit to the Senate a communication, dated on the 22d instant, with the accompanying papers, received from the Department of State, in compliance with a resolution adopted by the Senate on the 17th instant, requesting the President, if compatible with the public interest, to communicate to that body copies of any correspondence which may have taken place between the Department of State and the British and French ministers on the subject of claims for losses alleged to have been sustained by subjects of Great Britain and France at the bombardment of Greytown.

JAMES BUCHANAN.

WASHINGTON, *December 23*, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

After the consideration of executive business,

The Senate adjourned.

MONDAY, JANUARY 4, 1858.

The honorable Robert Toombs, from the State of Georgia, attended.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating an abstract of offers received for furnishing articles falling under the cognizance of the Bureau of Yards and Docks, during the fiscal year ending the 30th June, 1858 ; which was read.

On motion by Mr. Mallory that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Wade presented a petition of citizens of Ashtabula, Ohio, praying the improvement of the harbor of Ashtabula ; which was referred to the Committee on Commerce.

On motion by Mr. Wade,

Ordered, That the petition of Henry Hubbard, on the files of the Senate, be referred to the Committee on Claims.

Mr. Seward presented the petition of Nicholas D. P. Maillard, a citizen of the United States residing in Liverpool, England, praying redress for wrongs and violence committed upon him by a mob in Ireland ; which was referred to the Committee on Foreign Relations.

Mr. Seward presented a memorial of American ship masters in the port of Havana, Cuba, praying a revision of the laws in relation to the shipment, discipline, and discharge, of seamen in the merchant service ; which was referred to the Committee on Commerce.

Mr. Seward presented the memorial of Mrs. Mary Okill, praying the payment of a balance due to her father, the late Sir James Jay, of moneys advanced to the United States in the revolutionary war ; which was referred to the Committee on Revolutionary Claims.

Mr. Seward presented a petition of citizens of the United States, praying that the public lands may be laid out in farms, and granted

to actual settlers not possessed of other lands ; which was referred to the Committee on Public Lands.

Mr. Seward presented a petition of Salmon G. Grover and others, who were engaged in procuring seaworthy craft to be employed on the lakes during the last war with Great Britain, praying to be allowed bounty land ; which was referred to the Committee on Public Lands.

On motion by Mr. Hamlin,

Ordered, That the petition of William Allen, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Mallory,

Ordered, That the memorial of William F. Carrington, the petition of Joshua D. Todd, and the petition of Fabius Stanley, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Mallory,

Ordered, That the memorial of John Scott, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Mallory,

Ordered, That the memorial of Agatha O'Brien, widow of Major J. P. J. O'Brien, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Mallory,

Ordered, That the petition of Dempsey Pittman, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Mallory,

Ordered, That the petition of George S. Seton, on the files of the Senate, be referred to the Committee on Public Lands.

Mr. Mallory presented a presentment of the grand jury of the United States district court for the northern district of Florida, relative to the amendment of the pilot act of August 30, 1852, and the erection of a marine hospital and custom-house at Apalachicola ; which was referred to the Committee on Commerce.

Mr. Mallory presented a petition of citizens of Franklin county, Florida, praying the amendment of the pilot law of August 30, 1852 ; which was referred to the Committee on Commerce.

Mr. Hamlin presented the petition of J. M. Morrill, in behalf of the "Bangor City Greys," praying to be allowed bounty lands ; which was referred to the Committee on Public Lands.

On motion by Mr. Jones,

Ordered, That the petition of Sarah Foy, widow of John Foy, on the files of the Senate, be referred to the Committee on Public Buildings and Grounds.

Mr. Jones presented a petition of citizens of Dubuque, Iowa, praying a grant of public land to the Territory of Nebraska to aid in the construction of a railroad from some point on the Missouri river to the western boundary of that Territory, in the direction of the South Pass, with a branch to the Territories of Washington and Oregon ; which was referred to the Committee on Public Lands.

Mr. Jones presented the petition of Ann Mathieson, praying remuneration for the property of her husband who was murdered by the Indians ; which was referred to the Committee on Claims.

Mr. Davis presented the petition of Mary Walbach, widow of the late Brevet Brigadier General J. B. Walbach, praying to be placed upon the pension roll; which was referred to the Committee on Pensions.

Mr. Kennedy presented the petition of Captain John Pickell, praying to be allowed a pension for injuries received at the battle of Fort Drane, in the Florida war of 1836; which was referred to the Committee on Pensions.

Mr. Bigler presented the petition of the widow and children of Andrew Knox, of the firm of Knox and Pope, praying indemnity for the capture and condemnation of the ship "Eleanor" by the British government, under the Berlin and Milan decrees in 1810; which was referred to the Committee on Claims.

Mr. Bigler presented the petition of Joseph Plummer, guardian of the minor children of the late Captain Samuel M. Plummer of the army, praying that the pension heretofore granted to them may be continued; which was referred to the Committee on Pensions.

Mr. Bigler presented the petition of Robert Morris, praying the payment of wages due him, and remuneration for clothing improperly confiscated while a seaman on board the United States ship Vandalia; which was referred to the Committee on Naval Affairs.

Mr. Bigler presented the memorial of A. L. Pennock and George Pennock, survivors of the firm of Sellers and Pennock, praying remuneration for damages caused by the failure of the Post Office Department to carry out a contract with them for supplying mail bags; which was referred to the Committee on Claims.

On motion by Mr. Gwin,

Ordered, That leave be granted to withdraw the petition of George Kippen and others, residents of southern New Mexico, presented the 17th of December.

On motion by Mr. Slidell,

Ordered, That the petition of William L. S. Dearing on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Chandler,

Ordered, That the petition and papers of Aaron Weeks, on the files of the Senate, be referred to the Court of Claims.

Mr. Chandler presented the petition of E. P. Hastings, praying that his accounts for services and disbursements, together with an amount stolen from him, while pension agent for the State of Michigan, may be allowed; which was referred to the Committee on Claims.

Mr. Chandler presented the memorial of Nathaniel Champe, in behalf of the heirs of John Champe, a sergeant major in Lee's legion in the revolutionary army, praying remuneration for services rendered in undertaking, by order of General Washington, the capture of Arnold, after the discovery of his treason; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Benjamin,

Ordered, That the petition of the heirs of Jean Antoine Bernard Dauterive, the petition of the heirs of Louis Pellerin, and the petition

of Laurent Millaudon, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Benjamin,

Ordered, That the memorial of Miles Judson, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Benjamin,

Ordered, That the administrator of Fulwar Skipwith have leave to withdraw his petition and papers.

Mr. Benjamin presented a memorial of W. C. Barney, H. T. Livingston, and others, praying the establishment of an ocean mail route between New Orleans, Santander in Spain, and Bordeaux in France, via Havana and Fayal, and making proposals to carry the mail; which was referred to the Committee on Post Offices and Post Roads.

Mr. Chandler presented the petition of Elijah Roath, praying a pension for services in the last war with Great Britain; which was referred to the Committee on Pensions.

Mr. Foot presented additional papers in support of the claim of Mrs. Catherine L. McLeod; which were referred to the Committee on Revolutionary Claims.

On motion by Mr. Foot,

Ordered, That the petition of Ann E. T. Partridge, widow of Alden Partridge, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Fessenden presented a petition of J. D. Dutton and others of New Sharon, Maine, praying the enactment of a law more effectually to enforce the provisions of the Constitution in relation to the recovery of fugitive slaves; which was referred to the Committee on the Judiciary.

On motion by Mr. Fessenden,

Ordered, That the petition of George Jewett, executor of Luther Jewett, on the files of the Senate, be referred to the Committee on Claims.

Mr. Stuart presented the petition of Joseph Haynes, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Stuart presented a memorial of the register and receiver of the land office at Detroit, Michigan, praying an increase of compensation; which was referred to the Committee on Public Lands.

Mr. Stuart presented a memorial of the register and receiver of the land office at Huntsville, Alabama, praying an increase of compensation; which was referred to the Committee on Public Lands.

On motion by Mr. Stuart,

Ordered, That the memorial of Thomas Henderson, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Stuart,

Ordered, That the petition of citizens of Michigan in behalf of the children of Thomas Fitzgerald, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Clay presented the petition of Benjamin S. Pope, of the firm of Knox and Pope, praying indemnity for losses sustained by the cap-

ture and condemnation of the ship Eleanor and cargo; which was referred to the Committee on Claims.

Mr. Trumbull presented the petition of John Post, praying Congress to cause an investigation to be made of a method invented by him for the transmission of mail matter by means of atmospheric pressure; which was referred to the Committee on Post Offices and Post Roads.

Mr. Trumbull presented a petition of citizens of Belvidere, Illinois, praying the adoption of a practicable and equitable measure for the peaceful extinction of slavery.

On motion by Mr. Evans,

Ordered, That the petition lie on the table.

Mr. Cameron presented the petition of Jane H. Foster and Julia B. Stewart, children and heirs of William Baird, deceased, praying indemnity for property destroyed by the enemy in the war of 1812; which was referred to the Committee on Claims.

Mr. Mallory presented additional papers in support of the claim of the widow of William H. Tyler to a pension; which were referred to the Committee on Pensions.

Mr. Green presented a memorial of the legislature of Missouri, praying the reimbursement of the costs incurred by Jervis M. Barker in defending a prosecution against him by the United States, in which he was acquitted; which was referred to the Committee on the Judiciary.

Mr. Sebastian presented a petition of the judge and other officers of the district court of the United States for the western district of Arkansas, praying the erection of a jail at Van Buren, in that State; which was referred to the Committee on the Judiciary.

On motion by Mr. Broderick,

Ordered, That the petition of Santiago E. Arguello, on the files of the Senate, be referred to the Committee on Claims.

Mr. Davis asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. R.3) to extend and define the authority of the President, under the act approved January sixteen, eighteen hundred and fifty-seven, entitled "An act to amend an act entitled an act to promote the efficiency of the navy," in respect to dropped and retired naval officers; which was read the first and second times, by unanimous consent, referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. Jones, by unanimous consent, asked and obtained leave to bring in a bill (S. 33) to authorize the State of Iowa to apply the unsold lands heretofore granted for the improvement of the navigation of the Des Moines river to the construction of a railroad in the valley of said river; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Jones, by unanimous consent, asked and obtained leave to bring in a bill (S. 34) explanatory of an act entitled "An act to settle certain accounts between the United States and the State of Mississippi and other States," approved the 3d of March, 1857; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Houston, by unanimous consent, asked and obtained leave to bring in a bill (S. 35) for the relief of Michael Kinny, late a private in company I, eighth regiment, United States army; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Trumbull, by unanimous consent, asked and obtained leave to bring in a bill (S. 36) further to amend an act to divide the State of Illinois into two judicial districts, approved February 13, 1855; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Pugh, by unanimous consent, asked and obtained leave to bring in a bill (S. 37) to provide for the admission of Kansas into the Union; which was read the first and second times, by unanimous consent, referred to the Committee on Territories, and ordered to be printed.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred a memorial of John Temple, submitted a report, (No. 3,) accompanied by a bill, (S. 38,) for the relief of John R. Temple, of Louisiana.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred a memorial of Henry Volcker, submitted a report, (No. 4,) accompanied by a bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in the Territory of New Mexico.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Benjamin submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That there be printed, for the use of the Senate, twenty thousand copies of the opinion of the judges of the Supreme Court in the case of Dred Scott *vs.* John A. F. Sanford.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That there be printed five hundred copies of the report of the Commissioner of the General Land Office, and accompanying documents, for the use of the office.

Mr. Fitzpatrick submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested, as far as may be compatible with the public interest, to communicate to the Senate the correspondence, instructions, and orders to the United States naval forces on the coast of Central America, connected with the arrest of William Walker and his associates, at or near the port of San Juan de Nicaragua, and that he transmit such further information as he may possess in relation to that event.

Mr. Mallory submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be

required to examine into the expediency of establishing a mail between Montgomery, Alabama, and Pensacola, Florida, via Greenville and Sparta, Alabama,

The Senate resumed the consideration of the resolution submitted by Mr. Crittenden the 19th December, in relation to the rates of duty under the tariff act of 3d March, 1857, and a system of home valuation; and,

On motion by Mr. Crittenden,

Ordered, That the further consideration of the resolution be postponed to Wednesday next, the 6th instant.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to communicate to the Senate such surveys of harbors on Lakes Superior, Michigan, Huron, St. Clair, and Erie, in the State of Michigan, as have not been hitherto communicated, together with such estimates as may have been made for the improvement of said harbors.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred, the 21st December, the resolution for printing the usual number, and 15,000 extra copies of the President's message and accompanying documents, and the resolution for printing the report of the Secretary of the Treasury on the finances, with the documents communicated therewith, and 10,000 additional copies thereof, reported in favor of printing the same; and

The report was agreed to.

The Senate resumed the consideration of the motion to reconsider the vote agreeing to the resolution submitted by Mr. Slidell the 22d of December, in relation to the records of proceedings of the naval courts of inquiry under the act of 16th January, 1857; and

The motion was agreed to.

The Senate resumed the consideration of the said resolution; and, having been amended on the motion of Mr. Slidell,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

Herewith I transmit a report of the Secretary of State, with accompanying documents, in compliance with the resolution of the Senate of the 18th instant.

JAMES BUCHANAN.

WASHINGTON, December 29, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

The Senate resumed the consideration of the motion by Mr. Douglas, to refer to the Committee on Territories so much of the President's message as relates to the Territory of Kansas; and,

On motion by Mr. Clay,

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Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 28) for the relief of Alexander J. Atocha was read the second time and considered as in Committee of the Whole ; and,

On motion by Mr. Seward,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 1) for the relief of George P. Marsh ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Stuart,

The Senate adjourned.

TUESDAY, JANUARY 5, 1858.

The Vice President laid before the Senate a report of the Secretary of the Senate, showing, in obedience to law, the names of persons employed in his office during the year 1857, and the amount paid to each ; which was read.

Ordered, That it lie on the table and be printed.

Mr. Seward presented the petition of the heirs-at-law of Warren Sadler, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Olivia Field, widow of Phinia A. Field, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Rufus Spaulding, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of the heirs-at-law of John Roop, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Sally Pierce, widow of Gad Pierce, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of the heirs-at-law of Lemuel Cook, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Henry Lovejoy, heir-at-law of Joshua Lovejoy, deceased, praying indemnity for property destroyed

by the enemy in the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of the heirs-at-law of William Miller, deceased, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Solomon Gillett, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Sally M. Judson, heir-at-law of Jonathan Haddock, deceased, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Martha Dickinson, widow of Ira Dickinson, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Betsey Harrison, widow of Jonas Harrison, deceased, praying indemnity for property destroyed by the enemy in the war of 1812; which was referred to the Committee on Claims.

Mr. Seward, from the Committee on Foreign Relations, to whom was referred the petition of Nicholas D. P. Maillard, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the petition and papers of Nicholas D. P. Maillard be transmitted to the Secretary of State, for the consideration of the President of the United States.

Mr. Sebastian presented a petition of William Moss, praying extra compensation for carrying the mail from Washington, Arkansas, to Clarksville, in Texas; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Mason,

Ordered, That the petitions of Thomas J. Page, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Evans presented the memorial of James A. Black, special agent of the State of South Carolina, praying the reimbursement to that State of certain sums of money expended in the "common defence of the United States of America;" which was referred to the Committee on Claims.

Mr. Evans presented a memorial of the heirs of Colonel William Washington, the heirs of General William Moultrie, the heirs of John Grayson, the heirs of James Hamilton, and the heirs and representatives of other revolutionary officers, praying the settlement of their claims to half-pay; which was referred to the Committee on Revolutionary Claims.

On motion by Mr. Evans,

Ordered, That the memorial of Susannah Hayne Pinckney, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Collamer presented the memorial of Horace B. Sawyer, a cap-

unanimous consent, and referred, with her petition and papers on file, to the Committee on Revolutionary Claims.

Mr. Davis asked and, by unanimous consent, obtained leave to bring in a bill (S. 31) authorizing the establishment of a navy yard and depot at the harbor of Ship Island, in the Gulf of Mexico; which was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 2) to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California; which was read the first and second times, by unanimous consent, and referred to the Committee on Claims.

Mr. Gwin presented papers in support of the claim of C. Homer to compensation for work on the United States marine hospital at San Francisco, not required by his contract; which were referred to the Committee on Claims.

On motion by Mr. Mason,

Ordered, That so much of the President's message as relates to the relations between the United States and foreign powers be referred to the Committee on Foreign Relations.

On motion by Mr. Davis,

Ordered, That so much of the President's message as relates to military affairs be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Stuart,

Ordered, That so much of the President's message as relates to the public lands be referred to the Committee on Public Lands.

On motion by Mr. Bayard,

Ordered, That so much of the President's message as relates to the judiciary of the United States be referred to the Committee on the Judiciary.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of its President.

The Senate resumed the consideration of the resolution, submitted by Mr. Benjamin the 21st instant, to authorize the standing committees of the Senate to employ clerks.

On motion of Mr. Bright, to amend the resolution by striking out all after the word "resolved" and inserting:

That the clerks of all the standing committees shall be permanent, and the clerks of the Committees on Finance, Printing, and Claims shall receive an annual salary of eighteen hundred dollars; the clerks of all the other committees, except the Committees on the Library, on Engrossed Bills, on Enrolled Bills, and the Committee to Audit and Control the Contingent Expenses of the Senate, shall receive an annual salary of fifteen hundred dollars;

It was determined in the negative, { Yeas..... 7
Nays 35

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Bright, Davis, Douglas, Mason, Pugh, Sebastian.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Biggs, Broderick, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, Kennedy, Pearce, Polk, Reid, Seward, Simmons, Slidell, Thomson, of New Jersey, Trumbull, Wade, Wilson.

The resolution, having been amended on the motion of Mr. Evans, was agreed to, as follows:

Resolved, That each of the standing committees of the Senate enumerated in the 34th rule be authorized to employ a clerk, with the exception of the four following committees, which shall not be entitled to a clerk, to wit:

1. The Committee on the Library;
2. The Committee on Engrossed Bills;
3. The Committee on Enrolled bills;
4. The Committee to Audit and Control the Contingent Expenses of the Senate.

And that the clerks so employed shall receive a compensation of six dollars per diem during the sessions of Congress, except the Committees of Finance, Claims, and Printing, whose clerks shall receive an annual compensation of \$1,850 each.

The Vice President signed the enrolled bill (S. 13) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The Vice President laid before the Senate a letter from the Court of Claims, returning, in compliance with a resolution of the Senate, the petition and papers of Amos and John E. Kendall; which was read.

On motion by Mr. Hamlin,

Ordered, That the petition and papers of Amos and John E. Kendall, be referred to the Committee on Indian Affairs.

Mr. Mason presented a petition of the operative bookbinders of the city of Washington, praying the enactment of a law requiring the public binding, in all its parts, to be done in the city of Washington; which was referred to the Committee on Printing.

Mr. Cameron presented the petition of Craton W. Brant, praying to be allowed bounty land for services in the Mexican war as a mechanic; which was referred to the Committee on Public Lands.

Mr. Cameron presented papers in relation to the claim of William Smith, a teamster in the Mexican war, to bounty land; which were referred to the Committee on Public Lands.

Mr. Cameron presented the petition of Andrew Chapman, son of George Chapman, a soldier in the revolution, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Cameron presented a memorial of the religious society of Pro-

gressive Friends, at a quarterly meeting held at Longwood, Chester county, Pennsylvania, in relation to slavery.

Ordered, That it lie on the table.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 32) to repeal an act entitled "An act authorizing the Secretary of the Treasury to change the names of vessels in certain cases," approved 5th March, 1856; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing.

Resolved, That two thousand copies of the last annual report of the Commissioner of Indian Affairs, with the accompanying documents, be printed and bound for the use of the Indian office.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (S. 13) to authorize the issue of treasury notes.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States this day approved and signed an act (S. 13) to authorize the issue of treasury notes, and a joint resolution (H. R. 2) to amend the act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed the consideration of the motion, submitted by Mr. Douglas the 21st instant, to refer so much of the message of the President of the United States as relates to the Territory of Kansas to the Committee on Territories; and,

After debate,

On motion by Mr. Brown,

Ordered, That the further consideration thereof be postponed until Monday, the 4th of January next.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

In answer to resolutions of the Senate of the 16th and 18th instant, requesting correspondence and documents relative to the Territory of Kansas, I transmit a report from the Secretary of State, and the papers by which it was accompanied.

JAMES BUCHANAN.

WASHINGTON, December 22, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States :

I herewith transmit to the Senate a communication, dated on the 22d instant, with the accompanying papers, received from the Department of State, in compliance with a resolution adopted by the Senate on the 17th instant, requesting the President, if compatible with the public interest, to communicate to that body copies of any correspondence which may have taken place between the Department of State and the British and French ministers on the subject of claims for losses alleged to have been sustained by subjects of Great Britain and France at the bombardment of Greytown.

JAMES BUCHANAN.

WASHINGTON, *December 23*, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

After the consideration of executive business,

The Senate adjourned.

MONDAY, JANUARY 4, 1858.

The honorable Robert Toombs, from the State of Georgia, attended.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating an abstract of offers received for furnishing articles falling under the cognizance of the Bureau of Yards and Docks, during the fiscal year ending the 30th June, 1858; which was read.

On motion by Mr. Mallory that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Wade presented a petition of citizens of Ashtabula, Ohio, praying the improvement of the harbor of Ashtabula; which was referred to the Committee on Commerce.

On motion by Mr. Wade,

Ordered, That the petition of Henry Hubbard, on the files of the Senate, be referred to the Committee on Claims.

Mr. Seward presented the petition of Nicholas D. P. Maillard, a citizen of the United States residing in Liverpool, England, praying redress for wrongs and violence committed upon him by a mob in Ireland; which was referred to the Committee on Foreign Relations.

Mr. Seward presented a memorial of American ship masters in the port of Havana, Cuba, praying a revision of the laws in relation to the shipment, discipline, and discharge, of seamen in the merchant service; which was referred to the Committee on Commerce.

Mr. Seward presented the memorial of Mrs. Mary Okill, praying the payment of a balance due to her father, the late Sir James Jay, of moneys advanced to the United States in the revolutionary war; which was referred to the Committee on Revolutionary Claims.

Mr. Seward presented a petition of citizens of the United States, praying that the public lands may be laid out in farms, and granted

to actual settlers not possessed of other lands; which was referred to the Committee on Public Lands.

Mr. Seward presented a petition of Salmon G. Grover and others, who were engaged in procuring seaworthy craft to be employed on the lakes during the last war with Great Britain, praying to be allowed bounty land; which was referred to the Committee on Public Lands.

On motion by Mr. Hamlin,

Ordered, That the petition of William Allen, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Mallory,

Ordered, That the memorial of William F. Carrington, the petition of Joshua D. Todd, and the petition of Fabius Stanley, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Mallory,

Ordered, That the memorial of John Scott, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Mallory,

Ordered, That the memorial of Agatha O'Brien, widow of Major J. P. J. O'Brien, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Mallory,

Ordered, That the petition of Dempsey Pittman, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Mallory,

Ordered, That the petition of George S. Seton, on the files of the Senate, be referred to the Committee on Public Lands.

Mr. Mallory presented a presentment of the grand jury of the United States district court for the northern district of Florida, relative to the amendment of the pilot act of August 30, 1852, and the erection of a marine hospital and custom-house at Apalachicola; which was referred to the Committee on Commerce.

Mr. Mallory presented a petition of citizens of Franklin county, Florida, praying the amendment of the pilot law of August 30, 1852; which was referred to the Committee on Commerce.

Mr. Hamlin presented the petition of J. M. Morrill, in behalf of the "Bangor City Greys," praying to be allowed bounty lands; which was referred to the Committee on Public Lands.

On motion by Mr. Jones,

Ordered, That the petition of Sarah Foy, widow of John Foy, on the files of the Senate, be referred to the Committee on Public Buildings and Grounds.

Mr. Jones presented a petition of citizens of Dubuque, Iowa, praying a grant of public land to the Territory of Nebraska to aid in the construction of a railroad from some point on the Missouri river to the western boundary of that Territory, in the direction of the South Pass, with a branch to the Territories of Washington and Oregon; which was referred to the Committee on Public Lands.

Mr. Jones presented the petition of Ann Mathieson, praying remuneration for the property of her husband who was murdered by the Indians; which was referred to the Committee on Claims.

Mr. Davis presented the petition of Mary Walbach, widow of the late Brevet Brigadier General J. B. Walbach, praying to be placed upon the pension roll; which was referred to the Committee on Pensions.

Mr. Kennedy presented the petition of Captain John Pickell, praying to be allowed a pension for injuries received at the battle of Fort Drane, in the Florida war of 1836; which was referred to the Committee on Pensions.

Mr. Bigler presented the petition of the widow and children of Andrew Knox, of the firm of Knox and Pope, praying indemnity for the capture and condemnation of the ship "Eleanor" by the British government, under the Berlin and Milan decrees in 1810; which was referred to the Committee on Claims.

Mr. Bigler presented the petition of Joseph Plummer, guardian of the minor children of the late Captain Samuel M. Plummer of the army, praying that the pension heretofore granted to them may be continued; which was referred to the Committee on Pensions.

Mr. Bigler presented the petition of Robert Morris, praying the payment of wages due him, and remuneration for clothing improperly confiscated while a seaman on board the United States ship Vandalia; which was referred to the Committee on Naval Affairs.

Mr. Bigler presented the memorial of A. L. Pennock and George Pennock, survivors of the firm of Sellers and Pennock, praying remuneration for damages caused by the failure of the Post Office Department to carry out a contract with them for supplying mail bags; which was referred to the Committee on Claims.

On motion by Mr. Gwin,

Ordered, That leave be granted to withdraw the petition of George Kippen and others, residents of southern New Mexico, presented the 17th of December.

On motion by Mr. Slidell,

Ordered, That the petition of William L. S. Dearing on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Chandler,

Ordered, That the petition and papers of Aaron Weeks, on the files of the Senate, be referred to the Court of Claims.

Mr. Chandler presented the petition of E. P. Hastings, praying that his accounts for services and disbursements, together with an amount stolen from him, while pension agent for the State of Michigan, may be allowed; which was referred to the Committee on Claims.

Mr. Chandler presented the memorial of Nathaniel Champe, in behalf of the heirs of John Champe, a sergeant major in Lee's legion in the revolutionary army, praying remuneration for services rendered in undertaking, by order of General Washington, the capture of Arnold, after the discovery of his treason; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Benjamin,

Ordered, That the petition of the heirs of Jean Antoine Bernard Dauterive, the petition of the heirs of Louis Pellerin, and the petition

of Laurent Millaudon, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Benjamin,

Ordered, That the memorial of Miles Judson, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Benjamin,

Ordered, That the administrator of Fulwar Skipwith have leave to withdraw his petition and papers.

Mr. Benjamin presented a memorial of W. C. Barney, H. T. Livingston, and others, praying the establishment of an ocean mail route between New Orleans, Santander in Spain, and Bordeaux in France, via Havana and Fayal, and making proposals to carry the mail ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Chandler presented the petition of Elijah Roath, praying a pension for services in the last war with Great Britain; which was referred to the Committee on Pensions.

Mr. Foot presented additional papers in support of the claim of Mrs. Catherine L. McLeod ; which were referred to the Committee on Revolutionary Claims.

On motion by Mr. Foot,

Ordered, That the petition of Ann E. T. Partridge, widow of Alden Partridge, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Fessenden presented a petition of J. D. Dutton and others of New Sharon, Maine, praying the enactment of a law more effectually to enforce the provisions of the Constitution in relation to the recovery of fugitive slaves ; which was referred to the Committee on the Judiciary.

On motion by Mr. Fessenden,

Ordered, That the petition of George Jewett, executor of Luther Jewett, on the files of the Senate, be referred to the Committee on Claims.

Mr. Stuart presented the petition of Joseph Haynes, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Stuart presented a memorial of the register and receiver of the land office at Detroit, Michigan, praying an increase of compensation; which was referred to the Committee on Public Lands.

Mr. Stuart presented a memorial of the register and receiver of the land office at Huntsville, Alabama, praying an increase of compensation ; which was referred to the Committee on Public Lands.

On motion by Mr. Stuart,

Ordered, That the memorial of Thomas Henderson, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Stuart,

Ordered, That the petition of citizens of Michigan in behalf of the children of Thomas Fitzgerald, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Clay presented the petition of Benjamin S. Pope, of the firm of Knox and Pope, praying indemnity for losses sustained by the cap-

ture and condemnation of the ship Eleanor and cargo; which was referred to the Committee on Claims.

Mr. Trumbull presented the petition of John Post, praying Congress to cause an investigation to be made of a method invented by him for the transmission of mail matter by means of atmospheric pressure; which was referred to the Committee on Post Offices and Post Roads.

Mr. Trumbull presented a petition of citizens of Belvidere, Illinois, praying the adoption of a practicable and equitable measure for the peaceful extinction of slavery.

On motion by Mr. Evans,

Ordered, That the petition lie on the table.

Mr. Cameron presented the petition of Jane H. Foster and Julia B. Stewart, children and heirs of William Baird, deceased, praying indemnity for property destroyed by the enemy in the war of 1812; which was referred to the Committee on Claims.

Mr. Mallory presented additional papers in support of the claim of the widow of William H. Tyler to a pension; which were referred to the Committee on Pensions.

Mr. Green presented a memorial of the legislature of Missouri, praying the reimbursement of the costs incurred by Jervis M. Barker in defending a prosecution against him by the United States, in which he was acquitted; which was referred to the Committee on the Judiciary.

Mr. Sebastian presented a petition of the judge and other officers of the district court of the United States for the western district of Arkansas, praying the erection of a jail at Van Buren, in that State; which was referred to the Committee on the Judiciary.

On motion by Mr. Broderick,

Ordered, That the petition of Santiago E. Arguello, on the files of the Senate, be referred to the Committee on Claims.

Mr. Davis asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. R. 3) to extend and define the authority of the President, under the act approved January sixteen, eighteen hundred and fifty-seven, entitled "An act to amend an act entitled an act to promote the efficiency of the navy," in respect to dropped and retired naval officers; which was read the first and second times, by unanimous consent, referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. Jones, by unanimous consent, asked and obtained leave to bring in a bill (S. 33) to authorize the State of Iowa to apply the unsold lands heretofore granted for the improvement of the navigation of the Des Moines river to the construction of a railroad in the valley of said river; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Jones, by unanimous consent, asked and obtained leave to bring in a bill (S. 34) explanatory of an act entitled "An act to settle certain accounts between the United States and the State of Mississippi and other States," approved the 3d of March, 1857; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Houston, by unanimous consent, asked and obtained leave to bring in a bill (S. 35) for the relief of Michael Kinny, late a private in company I, eighth regiment, United States army; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Trumbull, by unanimous consent, asked and obtained leave to bring in a bill (S. 36) further to amend an act to divide the State of Illinois into two judicial districts, approved February 13, 1855; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Pugh, by unanimous consent, asked and obtained leave to bring in a bill (S. 37) to provide for the admission of Kansas into the Union; which was read the first and second times, by unanimous consent, referred to the Committee on Territories, and ordered to be printed.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred a memorial of John Temple, submitted a report, (No. 3,) accompanied by a bill, (S. 38,) for the relief of John R. Temple, of Louisiana.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred a memorial of Henry Volcker, submitted a report, (No. 4,) accompanied by a bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in the Territory of New Mexico.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Benjamin submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That there be printed, for the use of the Senate, twenty thousand copies of the opinion of the judges of the Supreme Court in the case of Dred Scott *vs.* John A. F. Sanford.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That there be printed five hundred copies of the report of the Commissioner of the General Land Office, and accompanying documents, for the use of the office.

Mr. Fitzpatrick submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested, as far as may be compatible with the public interest, to communicate to the Senate the correspondence, instructions, and orders to the United States naval forces on the coast of Central America, connected with the arrest of William Walker and his associates, at or near the port of San Juan de Nicaragua, and that he transmit such further information as he may possess in relation to that event.

Mr. Mallory submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be

required to examine into the expediency of establishing a mail between Montgomery, Alabama, and Pensacola, Florida, via Greenville and Sparta, Alabama,

The Senate resumed the consideration of the resolution submitted by Mr. Crittenden the 19th December, in relation to the rates of duty under the tariff act of 3d March, 1857, and a system of home valuation; and,

On motion by Mr. Crittenden,

Ordered, That the further consideration of the resolution be postponed to Wednesday next, the 6th instant.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to communicate to the Senate such surveys of harbors on Lakes Superior, Michigan, Huron, St. Clair, and Erie, in the State of Michigan, as have not been hitherto communicated, together with such estimates as may have been made for the improvement of said harbors.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred, the 21st December, the resolution for printing the usual number, and 15,000 extra copies of the President's message and accompanying documents, and the resolution for printing the report of the Secretary of the Treasury on the finances, with the documents communicated therewith, and 10,000 additional copies thereof, reported in favor of printing the same; and

The report was agreed to.

The Senate resumed the consideration of the motion to reconsider the vote agreeing to the resolution submitted by Mr. Slidell the 22d of December, in relation to the records of proceedings of the naval courts of inquiry under the act of 16th January, 1857; and

The motion was agreed to.

The Senate resumed the consideration of the said resolution; and, having been amended on the motion of Mr. Slidell,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

Herewith I transmit a report of the Secretary of State, with accompanying documents, in compliance with the resolution of the Senate of the 18th instant.

JAMES BUCHANAN.

WASHINGTON, December 29, 1857.

The message was read.

Ordered, That it lie on the table and be printed.

The Senate resumed the consideration of the motion by Mr. Douglas, to refer to the Committee on Territories so much of the President's message as relates to the Territory of Kansas; and,

On motion by Mr. Clay,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 28) for the relief of Alexander J. Atocha was read the second time and considered as in Committee of the Whole ; and,

On motion by Mr. Seward,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 1) for the relief of George P. Marsh ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Stuart,

The Senate adjourned.

TUESDAY, JANUARY 5, 1858.

The Vice President laid before the Senate a report of the Secretary of the Senate, showing, in obedience to law, the names of persons employed in his office during the year 1857, and the amount paid to each ; which was read.

Ordered, That it lie on the table and be printed.

Mr. Seward presented the petition of the heirs-at-law of Warren Sadler, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Olivia Field, widow of Phinia A. Field, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Rufus Spaulding, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of the heirs-at-law of John Roop, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Sally Pierce, widow of Gad Pierce, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of the heirs-at-law of Lemuel Cook, deceased, praying indemnity for property destroyed by the enemy in the war of 1812 ; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Henry Lovejoy, heir-at-law of Joshua Lovejoy, deceased, praying indemnity for property destroyed

by the enemy in the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of the heirs-at-law of William Miller, deceased, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Solomon Gillett, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Sally M. Judson, heir-at-law of Jonathan Haddock, deceased, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Martha Dickinson, widow of Ira Dickinson, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Betsey Harrison, widow of Jonas Harrison, deceased, praying indemnity for property destroyed by the enemy in the war of 1812; which was referred to the Committee on Claims.

Mr. Seward, from the Committee on Foreign Relations, to whom was referred the petition of Nicholas D. P. Maillard, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the petition and papers of Nicholas D. P. Maillard be transmitted to the Secretary of State, for the consideration of the President of the United States.

Mr. Sebastian presented a petition of William Moss, praying extra compensation for carrying the mail from Washington, Arkansas, to Clarksville, in Texas; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Mason,

Ordered, That the petitions of Thomas J. Page, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Evans presented the memorial of James A. Black, special agent of the State of South Carolina, praying the reimbursement to that State of certain sums of money expended in the "common defence of the United States of America;" which was referred to the Committee on Claims.

Mr. Evans presented a memorial of the heirs of Colonel William Washington, the heirs of General William Moultrie, the heirs of John Grayson, the heirs of James Hamilton, and the heirs and representatives of other revolutionary officers, praying the settlement of their claims to half-pay; which was referred to the Committee on Revolutionary Claims.

On motion by Mr. Evans,

Ordered, That the memorial of Susannah Hayne Pinckney, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Collamer presented the memorial of Horace B. Sawyer, a cap-

tain in the navy, praying to be allowed the difference between the furlough and leave of absence pay, for the time he was on furlough; which was referred to the Committee on Naval Affairs.

Mr. Foster presented the petition of the heirs of Thomas Stevens, a revolutionary soldier, praying to be allowed the pension due him during his life time; which was referred to the Committee on Pensions.

Mr. Foster presented the petition of the heirs of Captain Abraham Foot, an officer in the revolutionary army, praying to be allowed the pension due him at the time of his death; which was referred to the Committee on Pensions.

On motion by Mr. Chandler,

Ordered, That the memorial of Aaron Haight Palmer, on the files of the Senate, be referred to the Committee on Claims.

Mr. Chandler presented the memorial of W. P. Wright, Mark Sheppard, and others, members of Captain Samuel Walker's company of Kansas militia, praying to be allowed bounty land; which was referred to the Committee on Public Lands.

Mr. Chandler presented the petition of W. F. M. Arny, in behalf of many citizens of South Kansas, protesting against the Lecompton constitution, and praying its rejection by Congress and the passage of a law to enable the bona fide citizens of Kansas to form their own constitution; which was referred to the Committee on Territories.

On motion by Mr. Kennedy,

Ordered, That the memorial of the legal representatives of Rinaldo Johnson and Ann E. Johnson, on the files of the Senate, be referred to the Committee on Claims.

Mr. Houston presented a resolution of the legislature of Texas, in favor of placing Captain John G. Tod, late of the Texas navy, in the navy of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. Houston presented a report of the committee on federal relations of the house of representatives of Texas, setting forth the claims of Captain John G. Tod to be placed in the navy of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. Houston presented a resolution of the legislature of Texas, urging upon Congress the reimbursement of the money paid by that State for the defence of its frontier; which was referred to the Committee on Military affairs and the Militia.

Mr. Wilson presented the petition of the heirs of Noah Warriner, an officer in the revolutionary army, praying to be allowed the pension to which he was entitled; which was referred to the Committee on Pensions.

On motion by Mr. Johnson, of Arkansas,

Ordered, That Lieutenant John C. Carter have leave to withdraw his petition and papers.

Mr. Doolittle submitted a resolution, which was considered, by unanimous consent, and, having been amended on the motion of Mr. Trumbull, and further amended on the motion of Mr. Jones, was agreed to, as follows:

Resolved, That the Secretary of War be directed to communicate to the Senate such surveys of harbors on Lakes Superior and Michigan, in the States of Wisconsin and Illinois, and on the Mississippi and Missouri rivers, as have not been heretofore communicated, together with such estimates as may have been made for the improvement of said harbors.

Mr. Gwin submitted the following resolution for consideration :

Resolved, That the Committee on Foreign Relations be instructed to inquire into the expediency of providing by law for the appointment of a minister plenipotentiary to the empire of Japan.

On motion by Mr. Johnson, of Tennessee,

Ordered, That Jesse Wyatt have leave to withdraw his petition and papers.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred a bill (S. 29) for the relief of William K. Jennings and others, reported it without amendment.

Mr. Mason also submitted a special report (No. 5) on the subject ; which was ordered to be printed.

Mr. Polk, by unanimous consent, asked and obtained leave to bring in a bill (S. 40) to settle doubts in relation to the title of certain common field lots in the State of Missouri, heretofore granted to the inhabitants of the city of St. Louis for the support of schools ; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Polk, by unanimous consent, asked and obtained leave to bring in a bill (S. 41) for the relief of Manuel Leisa, Joachim Leisa, and others, and to provide for the location of certain private land claims ; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Thomson, of New Jersey, by unanimous consent, asked and obtained leave to bring in a bill (S. 42) to provide for the construction of a custom-house, court-house, and post office in Trenton, in the State of New Jersey ; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce, with the memorial and papers on file.

Mr. Benjamin, by unanimous consent, asked and obtained leave to bring in a bill (S. 43) to authorize the improvement of the Mississippi, Missouri, Ohio, and Arkansas rivers by contracts, and making appropriations for the same ; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Agreeably to notice, Mr. Slidell asked and obtained leave to bring in a bill (S. 44) to amend an act entitled " An act amendatory of existing laws relative to the half dollar, dime, and half dime," approved the 21st February, 1853 ; which was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Agreeably to notice, Mr. Fessenden asked and obtained leave to bring in a bill (S. 45) to provide for the ascertainment and settlement of the claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801 ; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole.

On motion by Mr. Fessenden,

Ordered, That it be referred to a select committee, consisting of seven members, to be appointed by the Vice President; and

Mr. Crittenden, Mr. Collamer, Mr. Toombs, Mr. Hamlin, Mr. Hunter, Mr. Davis, and Mr. King were appointed.

The Senate resumed the consideration of the motion, submitted by Mr. Douglas the 21st December, to refer so much of the President's message as relates to the Territory of Kansas to the Committee on Territories; and,

On motion by Mr. Davis,

Ordered, That the further consideration thereof be postponed to Monday next.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 28) for the relief of Alexander J. Atocha; and

The following amendment being proposed by Mr. Slidell, viz: in line 10, after the word "however," insert:

That said accounting officers shall inquire into the causes of said expulsion and shall make no award in favor of said Atocha if, in their opinion, said expulsion was justifiable, nor shall any judgment be made under the provisions of this act without the approval of the Secretary of the Treasury: And provided, further,

Mr. Hunter submitted the following resolution:

Resolved, That the bill (S. 28) for the relief of Alexander J. Atocha, together with the report of the Committee on Foreign Relations, and the papers relating to the case, be referred to the Court of Claims.

A question was raised by Mr. Crittenden whether the resolution was in order.

The Vice President decided that it was in order; and,

On the question to agree to the resolution,

It was decided in the affirmative, {	Yeas	31
	Nays.....	15

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are—

Messrs. Allen, Biggs, Bigler, Broderick, Chandler, Collamer, Davis, Doolittle, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Hamlin, Harlan, Hunter, Iverson, Johnson, of Tennessee, King, Pearce, Pugh, Sebastian, Simmons, Slidell, Stuart, Toombs, Trumbull, Wade.

Those who voted in the negative are—

Messrs. Bell, Benjamin, Cameron, Clay, Crittenden, Dixon, Gwin, Hale, Houston, Jones, Kennedy, Mallory, Mason, Seward, Thomson, of New Jersey.

So the resolution was agreed to.

The Vice President laid before the Senate a letter of the Secretary of the Treasury, communicating the report of the Superintendent of the Coast Survey, showing the progress of that work during the year ending November 1, 1857, and accompanied by a map, prepared in obedience to an act passed March 3, 1853; which was read.

On motion by Mr. Hunter,

Ordered, That it be referred to the Committee on Commerce.

On motion by Mr. Hunter, that the report be printed,

Ordered, That the motion be referred to the Committee on Printing.

Mr. Davis submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That in addition to the usual number of copies of the report of the Superintendent of the Coast Survey for the year 1857, there be printed ten thousand copies; five thousand copies for the use of the Senate, and five thousand copies for distribution from the Coast Survey Office; and that the same be printed and bound, with the plates, in quarto form; and that the printing of said plates shall be done to the satisfaction of the Superintendent of the Coast Survey.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, JANUARY 6, 1858.

Mr. Benjamin presented the petition of Joseph Reynes, praying the confirmation of his title to certain lands in the State of Louisiana, claimed under a Spanish grant, and to be indemnified for such lands, embraced in his claim, as may have been sold by the United States as public land; which was referred to the Committee on Private Land Claims.

Mr. Benjamin presented the petition of Camille St. Amant and others, praying the confirmation of entries of land made by them in Louisiana; which was referred to the Committee on Private Land Claims.

Mr. Seward presented the petition of the children of Polly Colgrove, praying authority to locate or assign a land warrant to which their mother was entitled; which was referred to the Committee on Public Lands.

Mr. Seward presented the petition of Mary Elizabeth Larnard, widow of Major Charles H. Larnard, late of the United States army, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Mason presented the petition of Robert Carter, a passed assistant surgeon in the navy, praying to be allowed his pay as a passed assistant surgeon, from the time he was entitled to his examination to that at which his examination took place; which was referred to the Committee on Naval Affairs.

Mr. Mason presented the petition of Thomas G. Clinton, praying that the salary of the President of the United States may be increased.

Ordered, That it lie on the table.

Mr. Toombs presented the petition of William Y. Hansell, William H. Underwood, and the executor of Samuel Rockwell, deceased, praying compensation for services in negotiating the treaty of 1835 with the Cherokee Indians; which was referred to the Committee on Indian Affairs.

Mr. Hunter asked that he be excused from serving as a member of the select committee on French spoliation claims; and

It was determined in the negative.

Mr. Toombs asked that he be excused from serving as a member of the select committee on French spoliation claims; and

It was determined in the negative.

Mr. Wilson presented the petition of Eliza A. Merchant, widow of Charles G. Merchant, late of the army, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Simmons presented the petition of Edwin M. Chaffee, praying an extension of his patent for preparing India rubber and applying it without the use of a solvent; which was referred to the Committee on Patents and the Patent Office.

Mr. Wilson presented a petition of citizens of Marblehead, Massachusetts, praying that the provisions of the bounty land law of March 3, 1855, may be extended to the privateersmen of the war of 1812; which was referred to the Committee on Public Lands.

Mr. King presented the petition of the heirs-at-law of Aaron Childs, deceased; the petition of Emily J. West, widow of Joseph West, deceased; the petition of George Stow; the petition of the heir-at-law of David Reese, deceased; the petition of Silas Hopkins; the petition of Frances E. Lay and Mary Atkins, heirs-at-law of Eli Hart, deceased; the petition of the administrator of John Latta, deceased; the petition of the executor of Isaac Colt, deceased; the petition of the heirs-at-law of Martin Daley, deceased; the petition of the heirs-at-law of Elisha Ensign, deceased; and the petition of Polly Hoyt, widow of Joseph D. Hoyt, deceased; praying indemnity for property destroyed by the enemy, on the Niagara frontier, in the war of 1812; which were referred to the Committee on Claims.

On motion by Mr. Simmons,

Ordered, That the petition of James Young, the petition of Alexander Keef, and the petition of Joseph Chase, Dartmoor prisoners, on the files of the Senate, be referred to the Committee on Public Lands.

Mr. Brown presented the memorial of A. L. Bleeker and his associates, praying that the Postmaster General may be authorized to contract with them for the conveyance of the mails between Panama and Valparaiso; which was referred to the Committee on Post Offices and Post Roads.

Mr. Brown presented the petition of Frances Cato, widow of Burrell Cato, a soldier in the revolutionary war, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Cameron presented a petition of members of the city council of Philadelphia, praying that the location of the new post office in that city may be changed; which was referred to the Committee on Post Offices and Post Roads.

Mr. Iverson presented the petition of Thomas E. Williams, praying to be allowed additional compensation for the time he was employed as superintendent of the saw-mill at the Washington navy yard; which was referred to the Committee on Claims.

Mr. Cameron presented one hundred and six petitions of citizens of Philadelphia, remonstrating against the location of the post office in

that city in the building lately occupied by the Bank of Pennsylvania; which were referred to the Committee on Post Offices and Post Roads.

Mr. Johnson, of Arkansas, presented additional papers in support of the claim of William Moss; which were referred to the Committee on Post Offices and Post Roads.

Mr. Sebastian presented a memorial of the register and receiver of the land office at Helena, Arkansas, praying an increase of compensation; which was referred to the Committee on Public Lands.

On motion by Mr. Bigler,

Ordered, That the petition of Rachel Posey, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Bigler,

Ordered, That the petition of John Hastings, on the files of the Senate, be referred to the Committee on Claims.

Mr. Pugh presented the petition of Hugh Ferguson and James Robb, representing that they have not received the quantity of bounty land to which they are justly entitled, and praying that it may be allowed them; which was referred to the Committee on Public Lands.

Mr. Pugh presented a petition of citizens of Portsmouth, Ohio, praying that a national bank may be chartered, the revenue laws so adjusted as to raise sufficient for the expenses of the government and yield protection to labor and capital, and that the proceeds of the sales of the public lands may be divided among the States; which was referred to the Committee on Finance.

Mr. Broderick presented the petition of J. W. Sullivan, praying indemnity for losses caused by the repeated failure of the mail between New Orleans and San Francisco; which was referred to the Committee on Claims.

On motion by Mr. Durkee,

Ordered, That the petition of the heirs of James Bell, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Brown submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That five hundred additional copies of the report of the Commissioner of Public Buildings be printed for the use of the commissioner.

On motion by Mr. Brown,

Ordered, That Michael R. Clark have leave to withdraw his petition and papers.

On motion By Mr. Brown,

Ordered, That the memorial of Sallie Eola Reneau, on the files of the Senate, be referred to the Committee on Public Lands.

On motion by Mr. Bigler,

Ordered, That the Committee on Post Offices and Post Roads be discharged from the further consideration of the memorial of W. S. Munday, J. Knox Walker, and others, and that it be referred to the Committee on Territories.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the memorial of

Nathaniel Champe, and that it be referred to the Committee on Revolutionary Claims.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of James Hudgins, and that it be referred to the Committee on Pensions.

Mr. Pugh asked and, by unanimous consent, obtained leave to bring in a bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana yearly meeting of the Society of Friends; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Mallory asked and, by unanimous consent, obtained leave to bring in a resolution (S. R. 4) to extend the operation of the second section of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy;'" which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and,

On motion by Mr. Mallory,

Ordered, That the further consideration of the resolution be postponed until to-morrow, and that it be printed.

The Senate resumed the consideration of the resolution submitted by Mr. Crittenden the 19th December, in relation to the rates of duty under the tariff act of 3d March, 1857, and a system of home valuation; and, an amendment having been proposed by Mr. Fitch,

On motion by Mr. Clay,

Ordered, That the resolution lie on the table.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (S. 27) to detach Selma, in the State of Alabama, from the collection district of New Orleans, and make it a port of delivery within the collection district of Mobile, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The Senate resumed the consideration of the resolution submitted by Mr. Slidell the 22d December, in relation to the record of proceedings of the naval courts of inquiry, under the act of 16th January, 1857, to amend the "Act to promote the efficiency of the navy;" and,

On motion by Mr. Bayard,

Ordered, That it lie on the table.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, JANUARY 7, 1857.

The honorable David L. Yulee, from the State of Florida, attended.

Mr. Dixon presented the petition of Samuel Colt, praying an extension of his patent for an improvement in fire-arms; which was referred to the Committee on Patents and the Patent Office.

Mr. King presented a memorial of citizens of New York, praying that the public lands may be laid out in farms, and granted, free of cost, to actual settlers who are not possessed of other lands; which was referred to the Committee on Public Lands.

Mr. Seward presented a petition of citizens of Canandaigua, New York, praying the adoption of some measure for the gradual extinction of slavery.

Ordered, That it lie on the table.

Mr. Wilson presented a petition of Charles Fairbanks and others, praying an extension of the pension laws; which was referred to the Committee on Pensions.

On motion by Mr. Bell,

Ordered, That the memorial of Otway H. Berryman, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Bell,

Ordered, That John McKinnie have leave to withdraw his petition and papers.

On motion by Mr. Foster,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the resolution of the Academy of Natural Sciences of Philadelphia, and that it be referred to the Committee on Printing.

On motion by Mr. Foster,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of William B. Davis, and the petition of citizens of the United States on the subject of the public lands, presented the 4th instant.

On motion by Mr. Harlan,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of Crayton W. Brant, and the papers in relation to the claim of William Smith.

Mr. Iverson presented an additional paper in relation to the claim of John W. Phillips; which was referred, with his memorial on file, to the Committee on Claims.

On motion by Mr. Mallory,

Ordered, That the petition of George L. Bowne and William Curry, on the files of the Senate, be referred to the Committee on Commerce.

Mr. Polk presented the petition of Henry D. V. Hinman, a soldier in the war of 1812, praying that a pension of eight dollars a month may be granted to him and the other soldiers of that war; which was referred to the Committee on Pensions.

Mr. Polk presented the petition of Joseph Hardy and Alton Long, praying the return of rent collected by agents of the United States

for the working of mines not the property of the United States; which was referred to the Committee on Claims.

Mr. Evans presented the credentials of the honorable James H. Hammond, elected a senator by the legislature of South Carolina, to fill the vacancy occasioned by the death of the honorable Andrew P. Butler.

The credentials were read, and the oath prescribed by law was administered to Mr. Hammond, and he took his seat in the Senate.

Mr. King submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to furnish, if not incompatible with the public interest, copies of the correspondence with and despatches from our ministers at the courts of England, France, Switzerland, and other powers, on the subject of the dangers to emigrants arising from the practice of contracting with irresponsible parties in Europe for American inland passage tickets.

Mr. Foot submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to communicate to the Senate (if not incompatible with the public interest) all the official despatches and correspondence of the honorable Robert McLane and of the honorable Peter Parker, late commissioners in China, with the State Department.

Mr. Toombs submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce inquire into the expediency of modifying or repealing the navigation laws, and report by bill or otherwise.

Mr. Mallory submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be directed to inquire as to the expediency of providing for the appointment of inspectors of the hulls and boilers of steamers in the collection districts of the State of Florida.

On motion by Mr. Fessenden,

Ordered, That two petitions of Thomas Johnson, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Cameron,

Ordered, That the petition of Anthony W. Bayard, on the files of the Senate, be referred to the Committee on Claims.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a bill (S. 47) confirming the location of land warrants under certain circumstances; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Mallory asked and obtained leave to bring in a bill (S. 48) for the construction of a marine hospital at Apalachicola, in the State of Florida; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Agreeably to notice, Mr. Mallory asked and obtained leave to bring

in a bill (S. 49) to provide for the construction of a court-house, post office, and custom-house, in Apalachicola, in the State of Florida; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Mallory, from the Committee on Naval Affairs, reported a joint resolution (S. 5) to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain; which was read and passed to a second reading.

On motion by Mr. Slidell,

Ordered, That when the Senate adjourn it be to Monday next.

The Senate proceeded to consider the resolution submitted by Mr. Gwin the 5th instant, relative to the expediency of appointing a minister plenipotentiary to the empire of Japan; and, having been amended on the motion of Mr. Mason, it was agreed to, as follows:

Resolved, That the Committee on Foreign Relations be instructed to inquire into the expediency of making an appropriation, by law, providing for the compensation of a minister plenipotentiary to the empire of Japan, and for other officers of the United States government in Japan.

Mr. Foot submitted the following resolution:

Resolved, That the Secretary request the return to the Senate from the Court of Claims of the bill for the relief of Alexander J. Atocha, together with the report of the committee and the papers relating to the case

The Senate proceeded, by unanimous consent, to consider the said resolution; and,

On motion by Mr. Hunter, that it lie on the table,

It was determined in the affirmative, { Yeas..... 27
Nays 22

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Biggs, Chandler, Collamer, Davis, Doolittle, Durkee, Evans, Fessenden, Fitzpatrick, Green, Hamlin, Harlan, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, King, Pearce, Polk, Sebastian, Stuart, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Broderick, Brown, Clark, Clay, Crittenden, Dixon, Douglas, Fitch, Foot, Foster, Gwin, Jones, Kennedy, Mallory, Mason, Pugh, Seward, Simmons, Thomson, of New Jersey, Wilson.

So it was

Ordered, That the resolution lie on the table.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of Daniel Draper and William P. Draper, reported a bill (S. 50) to authorize the issuing of a register to the barque "Jehu;" which was read and passed to a second reading.

Mr. Clay, from the Committee on Commerce, who were instructed by a resolution of the Senate to inquire into the expediency of issuing a register to the steamer Fearless, reported a bill (S. 51) to authorize

a register to be issued to the steamer "Fearless;" which was read and passed to a second reading.

On motion,

The Senate proceeded to the consideration of executive business; and After the consideration of executive business,

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

In answer to the resolution of the Senate of the 18th of last month, requesting certain information relative to the Territory of Kansas, I transmit a report of the Secretary of State and the documents by which it was accompanied.

JAMES BUCHANAN.

WASHINGTON, *January 6, 1858.*

The message was read.

On motion by Mr. Douglas,

Ordered, That it be referred to the Committee on Territories.

On motion by Mr. Johnson, of Arkansas, that the message be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President in relation to Kansas, reported in favor of printing the same; and

The report was agreed to.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

I herewith transmit to the Senate a report from the Secretary of the Navy, with the accompanying documents, containing the information called for by the resolution of the Senate of the 4th instant, requesting me "to communicate to the Senate the correspondence, instructions, and orders to the United States naval forces on the coast of Central America, connected with the arrest of William Walker and his associates," &c., &c., &c.

In submitting to the Senate the papers for which they have called, I deem it proper to make a few observations.

In capturing General Walker and his command after they had landed on the soil of Nicaragua, Commodore Paulding has, in my opinion, committed a grave error. It is quite evident, however, from the communications herewith transmitted, that this was done from pure and patriotic motives, and in the sincere conviction that he was promoting the interest and vindicating the honor of his country. In regard to Nicaragua, she has sustained no injury by the act of Commodore Paulding. This has enured to her benefit, and relieved her from a dreaded invasion. She alone would have any right to complain of the violation of her territory; and it is quite certain she will never exercise this right. It unquestionably does not lie in the mouth of her invaders to complain in her name that she has been rescued by

Commodore Paulding from their assaults. The error of this gallant officer consists in exceeding his instructions, and landing his sailors and marines in Nicaragua, whether with or without her consent, for the purpose of making war upon any military force whatever which he might find in the country, no matter from whence they came. This power certainly did not belong to him. Obedience to law, and conformity to instructions, are the best and safest guides for all officers, civil and military, and when they transcend these limits, and act upon their own personal responsibility, evil consequences almost inevitably follow.

Under these circumstances, when Marshal Rynders presented himself at the State Department on the 29th ultimo, with General Walker in custody, the Secretary informed him "that the Executive Department of the government did not recognize General Walker as a prisoner; that it had no directions to give concerning him, and that it is only through the action of the judiciary that he could be lawfully held in custody to answer any charges that might be brought against him."

In thus far disapproving the conduct of Commodore Paulding, no inference must be drawn that I am less determined than I have ever been to execute the neutrality laws of the United States. This is my imperative duty, and I shall continue to perform it by all the means which the Constitution and the laws have placed in my power. My opinion of the value and importance of these laws corresponds entirely with that expressed by Mr. Monroe in his message to Congress of December 7, 1819. That wise, prudent, and patriotic statesman says: "It is of the highest importance to our national character, and indispensable to the morality of our citizens, that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws, no opportunity afforded to any who may be disposed to take advantage of it, to compromit the interest or the honor of the nation."

The crime of setting on foot or providing the means for a military expedition within the United States, to make war against a foreign State with which we are at peace, is one of an aggravated and dangerous character, and early engaged the attention of Congress. Whether the executive government possesses any or what power, under the Constitution, independently of Congress, to prevent or punish this and similar offences against the law of nations, was a subject which engaged the attention of our most eminent statesmen in the time of the administration of General Washington, and on the occasion of the French revolution. The act of Congress of the 5th of June, 1794, fortunately removed all the difficulties on this question which had theretofore existed. The 5th and 7th sections of this act, which relate to the present question, are the same in substance with the 6th and 8th sections of the act of April 20, 1818, and have now been in force for a period more than sixty years.

The military expedition, rendered criminal by the act, must have its origin, must "begin," or be "set on foot," in the United States; but the great object of the law was to save foreign States, with whom we were at peace, from the ravages of these lawless expeditions proceeding from our shores. The seventh section alone, therefore, which

simply defines the crime and its punishment, would have been inadequate to accomplish this purpose and enforce our international duties. In order to render the law effectual, it was necessary to prevent "the carrying on" of such expeditions to their consummation after they had succeeded in leaving our shores. This has been done effectually, and in clear and explicit language, by the authority given to the President under the eighth section of the act to employ the land and naval forces of the United States "for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States, against the territories or dominions of any foreign prince or State, or of any colony, district, or people, with whom the United States are at peace."

For these reasons, had Commodore Paulding intercepted the steamer "Fashion" with General Walker and his command on board, at any period before they entered the port of San Juan de Nicaragua and conducted them back to Mobile, this would have prevented them from "carrying on" the expedition, and have been not only a justifiable but a praiseworthy act.

The crime well deserves the punishment inflicted upon it by our laws. It violates the principles of Christianity, morality, and humanity, held sacred by all civilized nations, and by none more than by the people of the United States. Disguise it as we may, such a military expedition is an invitation to reckless and lawless men to enlist under the banner of any adventurer, to rob, plunder, and murder the unoffending citizens of neighboring States, who have never done them harm. It is a usurpation of the war-making power, which belongs alone to Congress; and the government itself, at least in the estimation of the world, becomes an accomplice in the commission of this crime, unless it adopts all the means necessary to prevent and to punish it.

It would be far better and more in accordance with the bold and manly character of our countrymen, for the government itself to get up such expeditions, than to allow them to proceed under the command of irresponsible adventurers. We could then, at least, exercise some control over our own agents and prevent them from burning down cities and committing other acts of enormity of which we have read.

The avowed principle which lies at the foundation of the law of nations is contained in the Divine command that, "all things whatsoever ye would that men should do to you, do ye even so to them." Tried by this unerring rule, we should be severely condemned, if we shall not use our best exertions to arrest such expeditions against our feeble sister republic of Nicaragua. One thing is very certain. That people never existed who would call any other nation to a stricter account than we should ourselves for tolerating lawless expeditions from their shores to make war upon any portion of our territories. By tolerating such expeditions, we shall soon lose the high character which we have enjoyed ever since the days of Washington for the faithful performance of our international obligations and duties, and inspire distrust against us among the members of the great family of civilized nations.

But if motives of duty were not sufficient to restrain us from engaging in such lawless enterprises, our evident interest ought to dictate this policy. These expeditions are the most effectual mode of retarding American progress; although to promote this is the avowed object of the leaders and contributors in such undertakings.

It is, beyond question, the destiny of our race to spread themselves over the continent of North America, and this at no distant day, should events be permitted to take their natural course. The tide of emigrants will flow to the south, and nothing can eventually arrest its progress. If permitted to go there peacefully, Central America will soon contain an American population which will confer blessings and benefits as well upon the natives as their respective governments. Liberty under the restraint of law will preserve domestic peace, whilst the different transit routes across the Isthmus, in which we are so deeply interested, will have assured protection.

Nothing has retarded this happy condition of affairs so much as the unlawful expeditions which have been fitted out in the United States to make war upon the Central American States. Had one-half the number of American citizens who have miserably perished in the first disastrous expedition of General Walker settled in Nicaragua as peaceful emigrants, the object which we all desire would ere this have been in a great degree accomplished. These expeditions have caused the people of the Central American States to regard us with dread and suspicion. It is our true policy to remove this apprehension, and to convince them that we intend to do them good and not evil. We desire, as the leading power on this continent, to open, and, if need be, to protect, every transit route across the Isthmus, not only for our own benefit, but that of the world, and thus open a free access to Central America, and, through it, to our Pacific possessions. This policy was commenced under favorable auspices, when the expedition under the command of General Walker escaped from our territories and proceeded to Punta Arenas. Should another expedition of a similar character again evade the vigilance of our officers and proceed to Nicaragua, this would be fatal, at least for a season, to the peaceful settlement of these countries and to the policy of American progress. The truth is, that no administration can successfully conduct the foreign affairs of the country in Central America or anywhere else, if it is to be interfered with at every step by lawless military expeditions, "set on foot" in the United States.

JAMES BUCHANAN.

WASHINGTON CITY, *January 7, 1858.*

The message was read.

On motion by Mr. Mason, that it be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President in relation to the arrest of William Walker in Nicaragua, reported in favor of printing the same; and

The report was agreed to.

On motion by Mr. Mason, that the message be referred to the Committee on Foreign Relations,

After debate,

On motion by Mr. Stuart,

The Senate adjourned.

MONDAY, JANUARY 11, 1858.

The following message was received from the President of the United States, by Mr. Henry, his secretary :

To the Senate of the United States:

In compliance with the resolution of the Senate of the 28th of February last, requesting a communication of all the correspondence of John W. Geary, late governor of the Territory of Kansas, not heretofore communicated to Congress, I transmit a report from the Secretary of State, and the documents by which it was accompanied.

JAMES BUCHANAN.

WASHINGTON, *January 6*, 1858.

The message was read.

On motion by Mr. Wilson,

Ordered, That it be referred to the Committee on Territories.

On motion by Mr. Wilson, that the message be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, the estimates which have at any time been made for improvements of rivers and harbors within the State of New York ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Seward, that it be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a letter of the Second Auditor of the Treasury, communicating, in obedience to law, copies of accounts of persons charged with the disbursement or application of moneys, goods, or effects, for the benefit of the Indians, during the year ending 30th June, 1857, together with a list of the names of the persons to whom goods, moneys, or effects, have been delivered during that period ; which was read.

Ordered, That it be referred to the Committee on Finance.

The Vice President laid before the Senate resolutions of the Academy of Science of St. Louis, in favor of the publication of Dr. Evans' report of the geological survey of Oregon and Washington Territories, made by him under the authority of the government ; which were read.

Ordered, That they be referred to the Committee on Printing.

Mr. Seward presented the memorial of Christian Hansen, praying the establishment of an ocean mail route between New York and

Gluckstadt, on the Elbe, via Plymouth and Rotterdam, and making proposals for carrying the mails between those places; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Wade,

Ordered, That the petition of Samuel V. Niles, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Wade,

Ordered, That the petition of the heirs of Jabez B. Rooker, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Mason,

Ordered, That the petition of Frederick A. Beelen, on the files of the Senate, be referred to the Committee on Foreign Relations.

On motion by Mr. Yulee,

Ordered, That the petition of John Dick, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Yulee presented the memorial of Jane M. McCrabb, widow of John W. McCrabb, late a quartermaster in the navy, praying compensation for certain services rendered by her husband not in the line of his duty, in the Florida war; which was referred to the Committee on Claims.

Mr. Yulee presented the memorial of William D. Moseley, praying to be released from a contract for furnishing live oak for a sloop-of-war, assumed by him as surety, but which he is unable to complete; which was referred to the Committee on Naval Affairs.

Mr. Yulee presented additional papers in relation to the claim of George Phelps; which, with his petition on file, were referred to the Committee on Claims.

Mr. Hamlin presented the petition of Ebenezer Higgins, a soldier in the last war with Great Britain, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Chandler presented a petition of the Calhoun County Agricultural Society in Michigan, praying that a liberal donation of public land may be made to that and other States for the promotion of agricultural education; which was referred to the Committee on Public Lands.

Mr. Chandler presented a petition of the State Agricultural Society of Michigan, praying a liberal donation of public land for the promotion of agricultural education in that State; which was referred to the Committee on Public Lands.

Mr. Chandler presented a petition of citizens of Michigan, praying that bounty land may be granted to those who did military duty during the disturbance on the Canada frontier in the year 1838; which was referred to the Committee on Public Lands.

Mr. Fessenden presented the petition of Benjamin Ward, a privateersman in the last war with Great Britain, praying that pensions and land may be allowed him and other Americans who were imprisoned at Dartmoor; which was referred to the Committee on Public Lands.

Mr. Mallory presented the petition of Samuel James, Ignatius Lucas, and others, praying compensation for services as day watchmen

in the Navy Department; which was referred to the Committee on Naval Affairs.

On motion by Mr. Mallory,

Ordered, That the memorial of Jane Baker, widow of Thomas Baker, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Mallory,

Ordered, That the papers on the files of the Senate relating to the claim of Thomas J. Page, and the other officers of the United States steamer Water-Witch who were engaged in the survey and exploration of the river La Plata, to additional pay, be referred to the Committee on Naval Affairs.

On motion by Mr. Mallory,

Ordered, That the petition and papers of John P. Baldwin, on the files of the Senate, be referred to the Court of Claims.

Mr. Green presented a resolution of the legislature of Missouri, in favor of the erection of a building for the use of the United States courts and post office at Jefferson city; which was referred to the Committee on the Judiciary and ordered to be printed.

Mr. Green presented additional papers in relation to the claim of Jervis M. Barker; which were referred to the Committee on the Judiciary.

Mr. Davis presented the petition of Edward P. Vollum, an assistant surgeon in the army, praying remuneration for losses in consequence of shipwreck while travelling under orders; which was referred to the Committee on Military Affairs and the Militia.

Mr. Jones presented a petition of the register and receiver of the land office at Fort Des Moines, Iowa, praying an increase of compensation; which was referred to the Committee on Public Lands.

Mr. Jones presented a memorial of citizens of Waterloo, Iowa, praying a grant of land for the construction of a railroad from the Missouri river to the western boundary of Nebraska, in the direction of the South Pass, with a branch in the direction of Oregon and Washington Territories; which was referred to the select committee on the Pacific railroad.

Mr. Wilson presented the petition of Bacchus Webster, late a seaman on board the United States ship Germantown, praying to be allowed additional pay; which was referred to the Committee on Claims.

Mr. Brown presented a petition of the register and receiver of the land office at Jackson, Mississippi, praying an increase of compensation; which was referred to the Committee on Public Lands.

Mr. Brown presented additional papers in relation to the memorial of Sallie Eola Reneau; which were referred to the Committee on Public Lands.

Mr. Jones submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to inquire into the propriety of establishing two additional land offices in the Territory of Nebraska, one in the Platte valley, west of the

guide meridian, and one at or near the mouth of the L'Eau qui Court or Nebrarah river.

Mr. Wilson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of the Treasury be requested to report to the Senate the amount of revenue collected in each collection district for each of the years from 1852 to 1857, inclusive ; the amount expended, and the number of persons employed in each district in the collection of the revenue for each of those years.

Mr. Bigler submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing mail lines between the United States, the empire of Brazil, and the republics of South America ; and also into the best mode of establishing and maintaining such mail facilities, if found necessary and expedient.

Mr. Johnson, of Arkansas, submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation for completing the removal of the raft of Red river, agreeably to the estimates furnished to the War Department by the engineer in charge of the work, and that the committee be further instructed to report as early as practicable, by bill or otherwise.

Mr. Brown, from the Committee on Indian Affairs, to whom were referred papers in relation to the claim of William B. Trotter, submitted a report, (No. 6,) accompanied by a bill (S. 52) for the relief of William B. Trotter.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Johnson, of Arkansas, asked and, by unanimous consent, obtained leave to bring in a bill (S. 53) for the relief of John McVey ; which was read the first and second times, by unanimous consent, and, with his petition and papers on file, referred to the Committee on Pensions.

Mr. Johnson, of Arkansas, asked and, by unanimous consent, obtained leave to bring in a bill (S. 54) to revive an act entitled "An act for the relief of the legal representatives of John Donnelson, Stephen Heard, and others," approved May 24, 1824 ; which was read the first and second times, by unanimous consent, and referred, with the accompanying papers, to the Committee on Public Lands.

Mr. Houston asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. R. 6) to extend to the naval retiring board an opportunity of enjoying the same advantages of officers who have been dropped, furloughed, and retired by said board ; which was read and passed to a second reading, and ordered to be printed.

Mr. Hunter was, on his motion, excused from serving as a member of the Committee on the Library.

On motion by Mr. Hunter,

Ordered, That a member be appointed to fill the vacancy in the

Committee on the Library, and that the appointment be made by the Vice President.

Mr. Evans was, on his motion, excused from serving as a member of the Committee on Naval Affairs.

On motion by Mr. Evans,

Ordered, That a member be appointed to fill the vacancy in the Committee on Naval Affairs, and that the appointment be made by the Vice President; and

Mr. Hammond was appointed.

Mr. Davis, from the Committee on Public Buildings and Grounds, who were instructed, by a resolution of the Senate, to report a plan for assigning the rooms in the addition to the Capitol appropriated to the use of the Senate, submitted a report; which was read.

Ordered, That it lie on the table.

The Senate resumed the consideration of the motion submitted by Mr. Douglas the 21st December, to refer so much of the President's message as relates to the Territory of Kansas to the Committee on Territories.

On motion by Mr. Hale,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Monday, the 18th instant.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 3) to extend and define the authority of the President, under the act approved January sixteen, eighteen hundred and fifty-seven, entitled "An act to amend the act entitled an act to promote the efficiency of the navy," in respect to dropped and retired naval officers, reported it with an amendment.

The Senate proceeded to consider the said resolution as in Committee of the Whole; and the reported amendment having been disagreed to,

On motion by Mr. Hunter, to amend the resolution by inserting at the end thereof the following:

Provided, That nothing herein contained shall be so construed as to allow the increase of the number of officers on the active service list, as now authorized by law;

It was determined in the affirmative, { Yeas..... 24
Nays 22

On motion by Mr. Hamlin,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Clay, Collamer, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foster, Hamlin, Hammond, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Mallory, Mason, Stuart, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Broderick, Chandler, Clark, Crittenden, Davis, Dixon, Doolittle, Douglas, Foot, Green, Gwin, Hale, Harlan, Houston, Iverson, Kennedy, Polk, Seward, Simmons, Toombs, Wright.

No further amendment being proposed, the resolution was reported to the Senate.

On the question to concur in the amendment made as in Committee of the Whole,

It was determined in the affirmative, { Yeas..... 25
Nays 22

On motion of Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Clay, Collamer, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foster, Hamlin, Hammond, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Mallory, Mason, Slidell, Stuart, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Broderick, Chandler, Clark, Crittenden, Davis, Dixon, Doolittle, Douglas, Foot, Green, Gwin, Hale, Harlan, Houston, Iverson, Kennedy, Polk, Seward, Simmons, Toombs, Wright.

No further amendment having been proposed,

On the question, Shall the resolution be engrossed and read a third time?

It was determined in the affirmative.

The resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The following message was received from the President of the United States by Mr. Henry, his secretary.

To the Senate and House of Representatives of the United States:

I have received from Samuel Medary, governor of the Territory of Minnesota, a copy of the constitution of Minnesota, "together with an abstract of the votes polled for and against said constitution," at the election held in that Territory on the second Tuesday of October last, certified by the governor in due form; which I now lay before Congress, in the manner prescribed by that instrument.

Having received but a single copy of the constitution, I transmit this to the Senate.

JAMES BUCHANAN.

WASHINGTON, *January* 11, 1858.

The message was read.

On motion by Mr. Douglas,

Ordered, That it be referred to the Committee on Territories and be printed.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, estimates for the improvement of certain harbors on Lake Erie; which was read.

Ordered, That it be referred to the Committee on Commerce.

On motion by Mr. Stuart, that it be printed,

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Clay,

Ordered, That the memorial of Harriet Ward, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Yulee presented a paper in relation to the establishment of a mail route from Bay Port to Clair Water harbor, in Florida; which was referred to the Committee on Post Offices and Post Roads.

On motion of Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the petition of Amos and John E. Kendall, and that the petition and accompanying papers be referred to the Court of Claims.

On motion by Mr. Iverson,

Ordered, That the petition and the accompanying papers of Almanzon Huston be referred to the Court of Claims.

The following bills were read the second time and considered as in Committee of the Whole:

S. 50. Bill to authorize the issuing of a register to the barque "Jehu."

S. 51. Bill to authorize a register to be issued to the steamer "Fearless;" and, no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read the third time, by unanimous consent.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed the consideration of the motion by Mr. Mason, to refer the message relating to the arrest of William Walker to the Committee on Foreign Relations; and

The motion was agreed to.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, JANUARY 12, 1858.

Mr. Douglas presented the memorial of Henry O'Reilly, concerning military highways, or "stockade routes," for the protection of travelers and settlers, and facilitating mail and telegraph communication through the interior Territories, between the Atlantic and Pacific States; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Douglas, that the memorial be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the motion to print the memorial of Henry O'Reilly, reported in favor of printing the same; and

The report was agreed to.

Mr. Douglas presented a memorial of Henry O'Reilly, John J. Speed, jr., and T. P. Shaffner, corporators of the "St. Louis and Salt Lake Telegraph Company," proposing to extend telegraphic communication through Kansas and Nebraska to Fort Laramie, so as to place the government in close communication with the army of

Utah; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Douglas that the memorial be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the motion to print the memorial of Henry O'Rielly and others, last mentioned, reported in favor of printing the same; and

The report was agreed to.

Mr. Bigler presented the petition of Hannah Stroop, widow of John Stroop, a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Evans presented the memorial of Virginia Rose, for herself and others, heirs of Captain Alexander Rose, an officer of the revolutionary army, praying to be allowed half pay; which was referred to the Committee on Revolutionary Claims.

Mr. Biggs presented a memorial of citizens of Mississippi, praying that the office of chaplain in the public service may be abolished; which was referred to the Committee on the Judiciary.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution to authorize the printing and binding of two thousand copies of the report of the Commissioner of Indian Affairs, for the use of his office, reported it with an amendment.

The Senate proceeded to consider the resolution; and the reported amendment having been agreed to, the resolution was agreed to, as follows:

Resolved, That one thousand copies of the last annual report of the Commissioner of Indian Affairs, with the accompanying documents, be printed and bound for the use of the office of the Commissioner of Indian Affairs.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution to print additional copies of the report of the Commissioner of Public Buildings, reported adversely thereon.

The Senate proceeded to consider the resolution; and

Ordered, That it lie on the table.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution to print five hundred copies of the report of the Commissioner of the General Land Office, for the use of his office, reported that the same be printed; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President of the United States communicating correspondence of John W. Geary, late governor of Kansas, reported that the same be printed; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War, in relation to certain harbors on Lake Erie, communicated to the Senate the 11th of January, reported that the same be printed; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War in relation to the improvement of rivers and harbors in the State of New York, communicated to the Senate January 11, reported that the same be printed; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Navy, communicating an abstract of offers for furnishing articles falling under the cognizance of the Bureau of Yards and Docks, reported adversely thereon; and

The report was agreed to.

On motion by Mr. Mallory,

Ordered, That the Committee on Claims be discharged from the further consideration of the memorial of Jane Baker, and that it be referred to the Committee on Pensions.

Mr. Mallory presented papers in favor of the allowance of extra pay to William F. Lovell, and others, officers and seamen of the expedition in search of Dr. Kane; which, with the petition of William F. Lovell, on file, were referred to the Committee on Naval Affairs.

Mr. Johnson, of Arkansas, presented the petition of A. S. H. White, praying compensation for services as assistant secretary to sign land patents, under an appointment from the President of the United States; which was referred to the Committee on Public Lands.

Mr. Brown presented a petition of soldiers of the last war with Great Britain, praying that the soldiers of that war may be allowed pensions; which was referred to the Committee on Pensions.

Mr. Foot asked and, by unanimous consent, obtained leave to bring in a bill (S. 55) granting relief to certain officers and soldiers of the war of 1812, and of certain Indian wars; which was read the first and second times, by unanimous consent, referred to the Committee on Pensions, and ordered to be printed.

Mr. Wilson asked and, by unanimous consent, obtained leave to bring in a bill (S. 56) explanatory of an act entitled "An act, in addition to certain acts, granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Benjamin, from the Committee on Commerce, to whom was referred the bill (S. 32) to repeal an act entitled "An act authorizing the Secretary of the Treasury to change the names of vessels in certain cases," approved March 5, 1856, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 4) to extend the operation of the second section of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be: "A resolution to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy.' "

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Mason, that the Senate reconsider the vote on passing the resolution (S. 3) to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend 'An act to promote the efficiency of the navy,' " in respect to dropped and retired naval officers,

It was determined in the affirmative.

On motion,

The vote ordering the resolution to be engrossed and read a third time was reconsidered.

On motion by Mr. Mason,

That the Senate reconsider the vote agreeing to the following amendment to the resolution:

Provided, That nothing herein contained shall be so construed as to allow the increase of the number of officers on the active service list, as now authorized by law.

On motion of Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, JANUARY 13, 1858.

On motion by Mr. Bigler,

Ordered, That the petition of Joseph C. G. Kennedy, on the files of the Senate, be referred to the Committee on Claims.

Mr. Brown presented the petition of Jennett H. McCall, widow of James McCall, an officer in the revolutionary army, praying to be allowed a pension and bounty land; which was referred to the Committee on Revolutionary Claims.

Mr. Cameron presented forty-five petitions of citizens of Philadelphia, remonstrating against the location of the city post office of that

city in the building lately occupied by the Bank of Pennsylvania; which were referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented the petition of Edward N. Kent, praying compensation for the use of his invention for separating gold from foreign substances; which was referred to the Committee on Finance.

On motion by Mr. Hunter,

Ordered, That the petition of lieutenants in the United States revenue and marine service who were attached to the naval squadron in the Florida war of 1836, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Kennedy presented the memorial of A. P. Robinson and others, the Washington Iron Pavement Company, praying Congress to authorize a contract with them for laying an iron pavement on Pennsylvania avenue; which was referred to the Committee on the District of Columbia.

Mr. Kennedy presented the memorial of Alexander Randall, executor of Daniel Randall, praying the payment of a balance of the commission claimed by him for collecting and disbursing money in behalf of the government during the late war with Mexico; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Kennedy,

Ordered, That the petition of the executor of Daniel Randall, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Trumbull,

Ordered, That Lewis Morris have leave to withdraw his petition and papers.

On motion by Mr. Yulee,

Ordered, That the Committee on Post Offices and Post Roads be discharged from the further consideration of the petition of the Orange and Alexandria Railroad Company, and that it be referred to the Committee on Claims.

Mr. Johnson, of Tennessee, presented a petition of citizens of Fayette county, Indiana, praying the enactment of a law granting to each head of a family a homestead of one hundred and sixty acres of land out of the public domain; which was referred to the Committee on Public Lands.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of John Bronson, and that it be referred to the Committee on Claims.

The Vice President announced the appointment of Mr. Fessenden to fill the vacancy in the Committee on the Library.

Mr. Iverson, from the Committee on Claims, to whom was referred, on the 18th December, a bill from the Court of Claims for the relief of James Beatty's personal representative, with the report of the court in favor of the claim, reported the bill (S. 57) without amendment.

The bill (S. 57) for the relief of James Beatty's personal representative was read and passed to a second reading.

Agreeably to notice, Mr. Chandler asked and obtained leave to bring in a bill (S. 58) to authorize and direct the settlement of the

accounts of Ross Wilkins, James Witherell, and Solomon Sibley ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 3) to authorize notaries public to take and certify oaths, affirmations, and acknowledgments, in certain cases, reported it without amendment.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom were referred the petition of James G. Benton, the petition of E. B. Babbitt, and the petition of James Longstreet, submitted a report, (No. 7,) accompanied by a bill (S. 59) for the relief of James G. Benton, E. B. Babbitt, and James Longstreet, of the United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Doolittle asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding ; which was read and passed to a second reading.

On motion by Mr. Seward,

Ordered, That the resolution be printed.

On motion by Mr. Slidell.

Ordered, That the petition of Joseph Menard, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Slidell presented a petition of merchants of New Orleans, praying an appropriation to build a steam cutter for the protection of the revenue and commerce of that port ; which was referred to the Committee on Commerce.

On motion by Mr. Cameron,

Ordered, That the petition of Joshua Shaw, on the files of the Senate, be referred to the Committee on Claims.

Mr. Gwin presented the memorial of Aaron Van Camp and Virginus P. Chapin, praying indemnity for the illegal seizure and confiscation of their property at Apia, in the Navigators' Islands, by Jonathan S. Jenkins, United States consul to those islands, under the pretext of authority derived from his office of consul ; which was referred to the Committee on Claims.

The Senate resumed the consideration of the motion by Mr. Mason, to reconsider the vote agreeing to the amendment proposed by Mr. Hunter to the resolution (S. 3) to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " in respect to dropped and retired naval officers ; and

The motion was agreed to.

The amendment proposed by Mr. Hunter being under consideration,

On the question to agree to the said amendment as follows, insert :

Provided, That nothing herein contained shall be so construed as to allow the increase of the number of officers on the active service list, as now authorized by law ;

It was determined in the negative, { Yeas 14
Nays 30

On motion by Mr. Stuart,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Allen, Brown, Fessenden, Foster, Hamlin, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Mallory, Stuart, Trumbull, Wade, Yulee.

Those who voted in the negative are,
Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Davis, Dixon, Doolittle, Douglas, Durkee, Fitch, Fitzpatrick, Foot, Green, Gwin, Hale, Harlan, Houston, Iverson, Jones, Kennedy, Pearce, Polk, Pugh, Seward, Simmons, Toombs, Wilson, Wright.

So the amendment was not agreed to.

On motion by Mr. Collamer, to amend the resolution by inserting after the word "notwithstanding," in line 12, *within six months from the passage of this resolution*;

It was determined in the affirmative.

No further amendment being made,

Ordered, That the resolution be engrossed and read a third time.

The said resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 14, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating a statement of expenditures for contingent expenses of that department, its offices, and bureaus, during the year ending June 30, 1857; which was read.

Ordered, That it lie on the table.

On motion by Mr. Davis, that the report be printed.

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Biggs,

Ordered, That the petition of Martin Hubbard, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Slidell presented the petition of the heirs of Daspit St. Amand, praying the enactment of a law to place them in a position fairly and lawfully to maintain their rights of ownership to certain lands; which was referred to the Committee on Private Land Claims.

Mr. Evans presented the petition of A. H. Abrahams, praying that certain duties illegally exacted from him may be refunded; which was referred to the Committee on Finance.

Mr. Fitch presented a petition of citizens of Pulaski county, Indiana, praying the establishment of a mail-route from Winamac to Francisville, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Bigler presented a memorial of the board of trustees of the "Farmers' High School of Pennsylvania," praying a grant of land for the endowment of that institution; which was referred to the Committee on Public Lands.

On motion by Mr. Yulee,

Ordered, That the petition of Jeremiah Pendergast, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Yulee presented the petition of William J. Walker and others, messengers in the Post Office Department, praying to be allowed the benefit of the joint resolution of August 18, 1856, increasing the pay of laborers in the executive and legislative departments; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Seward,

Ordered, That when the Senate adjourn it be to Monday next.

On motion by Mr. Bell,

Ordered, That the petition of G. P. Welch and others, officers attached to the surveying and exploring expedition under Lieutenant Page, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of a petition of citizens of Michigan, presented January 11.

On motion by Mr. King,

Ordered, That the petition of the administrator of Francis Hutinac, and the papers on the files of the Senate relating to the claim of Rachel Morey, be referred to the Committee on Pensions.

On motion by Mr. King,

Ordered, That the petition of the heirs of Nathan Weeks, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

On motion by Mr. Davis,

Ordered, That the memorial of Harriet O. Read, executrix of A. C. W. Fanning, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Fitzpatrick,

Ordered, That the petition of Jane Smith, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Brown presented the memorial of David Gordon, complaining of injury which has resulted to himself and others in consequence of the failure of the Secretary of the Treasury to execute an act of Congress of December 22, 1854, and praying that the execution of that act may be transferred to the War Department, with such provisions as will insure its enforcement; which was referred to the Committee on Claims.

Mr. Brown presented the petition of James M. Hand, in behalf of the heirs of John B. Hand, praying that certain moneys paid for the purchase of Choctaw reservations may be refunded; which was referred to the Committee on Indian Affairs.

Mr. Houston presented the petition of Samuel Stone and Isaac H. Marks, praying compensation for property taken by an Indian agent,

under an agreement of arbitration, for government purposes : which was referred to the Committee on Indian Affairs.

Mr. Houston presented the petition of Jane Stoneham, widow of Henry Stoneham, a revolutionary soldier, praying to be allowed the benefits of the law of July 7, 1838, granting pensions to the widows of revolutionary officers and soldiers ; which was referred to the Committee on Pensions.

Mr. Bell submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of the Interior communicate to the Senate an estimate of the quantity of land which will enure to the grant made by the act approved on the 3d of March, 1857, granting lands to the Territory of Minnesota for railroad purposes.

Mr. Davis submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of War be requested to communicate to the Senate the report of the commission on the war claims of Oregon and Washington Territories.

Mr. Seward submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of War transmit to the Senate any surveys or examination of the Potomac river in the vicinity of Washington City, made by any officer of the Topographical Bureau during the last year.

Mr. Stuart, from the Committee on Public Lands, to whom were referred the petition of the children of Polly Colgrove, the memorial of W. P. Wright, Mark Sheppard, and others, members of Captain Samuel Walker's Company of Kansas militia, the petition of John A. Ragan, the petition of Salmon G. Grover and others, the petition of J. M. Morrill, in behalf of the "Bangor City Greys," and a petition of citizens of New York, presented January 7, reported the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

The joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding was read the second time and considered as in Committee of the Whole.

On motion by Mr. Doolittle,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Wednesday, the 20th instant.

The bill (S. 38) for the relief of John R. Temple, of Louisiana, was read the second time and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in the Territory of New Mexico was read the second time and considered as in Committee of the Whole.

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 29) for the relief of William K. Jennings and others; and, no amendment being made, it was reported to the Senate.

On the question, Shall the bill be engrossed and read a third time?

It was determined in the affirmative, { Yeas..... 32
Nays 15

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Biggs, Broderick, Brown, Clay, Crittenden, Davis, Doolittle, Douglas, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Stuart, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Cameron, Chandler, Clark, Collamer, Dixon, Durkee, Fessenden, Foster, Hale, Hamlin, King, Seward, Trumbull, Wade, Wilson.

So it was

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of Tench Tilghman, reported a bill (S. 60) for the relief of Tench Tilghman; which was read and passed to a second reading.

Mr. Foot, from the Committee on Foreign Relations, to whom was referred the petition of Frederick A. Beelen, submitted a report, (No. 8,) accompanied by a bill (S. 61) for the relief of Frederick A. Beelen.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

After the consideration of executive business,

The Senate adjourned.

MONDAY, JANUARY 18, 1858.

The Vice President laid before the Senate a report of the Secretary of State, communicating, in obedience to law, lists of the clerks, messengers, laborers, and packers, employed in that department during the year 1857, and the amount paid to each; which was read.

Ordered, That it lie on the table.

On motion by Mr. Yulee that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President presented a memorial of the legislature of the Territory of Nebraska, in relation to the establishment of a new sur-

veying district and the creating the office of surveyor general for that Territory ; which was referred to the Committee on Public Lands.

Mr. Seward presented a memorial of the goldbeaters of the city and State of New York, praying an increase of the duty on gold leaf ; which was referred to the Committee on Finance.

Mr. Seward presented a petition of citizens of the town of Phelps, New York, praying the adoption of some measure for the pacific and gradual extinction of slavery.

Ordered, That it lie on the table.

On motion by Mr. Wilson,

Ordered, That Eliza G. Townsend have leave to withdraw her petition and papers.

Mr. Wade presented a petition of citizens of Ashtabula, Ohio, praying the repair or rebuilding of the light-house and pier at that place ; which was referred to the Committee on Commerce.

Mr. Foster presented the memorial of Henry C. Flagg, praying to be allowed his portion of the half-pay to which his father was entitled for services in the revolutionary war ; which was referred to the Committee on Revolutionary Claims.

Mr. Fitzpatrick presented a memorial of the register and receiver of the land office at Montgomery, Alabama, praying that the compensation of registers and receivers may be increased ; which was referred to the Committee on Public Lands.

Mr. Fitzpatrick presented papers in relation to the claims of Daniel S. Ryan and Benjamin C. Wyley, administrators of R. D. Rowland and James M. Crook, to the reimbursement of an amount paid by them for certain lands purchased of the government, and of which they have been deprived by the claims of certain Indians thereto ; which were referred to the Committee on Indian Affairs.

Mr. Harlan presented five petitions of citizens of Iowa, praying the establishment of a mail route from Burlington to Farmington, in that State ; which were referred to the Committee on Post Offices and Post Roads.

Mr. Pugh presented a petition of merchants and others at Toledo, Ohio, praying the enactment of a law to regulate and establish a system of lights to be carried at night by sailing vessels navigating the lakes ; which was referred to the Committee on Commerce.

Mr. Pugh presented a petition of merchants and others at Toledo, Ohio, praying that the act of March 5, 1856, authorizing the Secretary of the Treasury to change the names of vessels in certain cases, be repealed.

Ordered, That it lie on the table.

On motion by Mr. Trumbull,

Ordered, That the memorial of Lewis Morris, and the petition of S. W. Aldrick, and other officers of the Tampico Mounted Rangers, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Stuart presented a memorial of the Oakland County Agricultural Society, praying that a donation of public land be made to each of the States for the encouragement and promotion of agricultural education ; which was referred to the Committee on Public Lands.

Mr. Stuart presented a memorial of citizens of that portion of the public domain situated on the west side of Lake Pepin and the Mississippi river, in the Territory of Minnesota, praying to be allowed the benefits of the pre-emption law ; which was referred to the Committee on Public Lands.

Mr. Jones presented a memorial of the register and receiver of the land office at Fort Dodge, Iowa, praying that the compensation of registers and receivers may be increased ; which was referred to the Committee on Public Lands.

Mr. Bigler presented the memorial of Douglass Ottinger, of the United States revenue service, praying permission to exhibit before the appropriate committee his invention of an apparatus for rescuing the passengers and crews of sinking vessels on the open sea ; which was referred to the Committee on Naval Affairs.

Mr. Yulee presented the petition of Bernard M. Byrne, a surgeon in the army, praying compensation for certain special services rendered under contract with the commanding officer at Fort Gilleland, Florida ; which was referred to the Committee on Claims.

On motion by Mr. Benjamin,

Ordered, That the petition of Daniel Whitney, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Bright presented a memorial of the register and receiver of the land office at Indianapolis, Indiana, praying that the compensation of registers and receivers may be increased ; which was referred to the Committee on Public Lands.

Mr. Slidell presented the petition of George Frasier, praying compensation for losses occasioned by the unauthorized acts of Mexican authorities in the year 1840 ; which was referred to the Committee on Foreign Relations.

Mr. Chandler submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of War be requested to furnish the Senate a statement showing the number of troops stationed in Kansas each quarter since the first day of January, 1855, down to the present time.

Mr. Biggs submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of establishing a national foundry on Deep river, in the State of North Carolina, and that they report by bill or otherwise.

On motion by Mr. Collamer,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the letter of William D. Elam.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the memorial of citizens of Mississippi in relation to the office of chaplain in the public service, presented January 12.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from

the further consideration of the report of the Secretary of War in relation to the erection of a fort at New Inlet, North Carolina, and that it be referred to the Committee on Military Affairs and the Militia.

The Senate proceeded to consider the report of the Committee on Public Lands on the petition of the children of Polly Colgrove, the petition of Salmon G. Grover, the petition of citizens of New York in relation to the public lands, the petition of John A. Ragan, the memorial of W. P. Wright, Mark Sheppard, and others, members of Walker's company of Kansas militia, and the petition of J. M. Morrill in behalf of the Bangor City Greys; and, in concurrence therewith.

Resolved, That the prayers of the petitioners ought not to be granted.

The Senate proceeded to consider the report of the Committee on Public Buildings and Grounds, made the 11th instant, in relation to assigning the rooms in the addition to the Capitol, appropriated to the use of the Senate; and having been amended, it was agreed to, as follows:

"That they have assigned the rooms by numbers, referring to the plan of the north wing of the Capitol extension, herewith submitted to the Senate, viz:

- "To the Committee on Foreign Relations, room No. 5;
- "To the Vice President, room No. 51;
- "To the Committee on Commerce, room No. 96;
- "To the Committee on Military Affairs and the Militia, room No. 16;
- "To the Committee on Naval Affairs, room No. 15;
- "To the Committee on the Judiciary, room No. 14;
- "To the Committee on Post Offices and Post Roads, room No. 4;
- "To the Committee on Public Lands, rooms Nos. 27 and 28;
- "To the Committee on Private Land Claims, rooms Nos. 6 and 7;
- "To the Committee on Indian Affairs, room No. 17;
- "To the Committee on Pensions, room No. 25;
- "To the Committee on Revolutionary Claims, room No. 29;
- "To the Committee on Claims, room No. 19;
- "To the Committee on the District of Columbia, room No. 21;
- "To the Committee on Patents and the Patent Office, room No. 98;
- "To the Committee on Public Buildings and Grounds, room No. 18;
- "To the Committee on Territories, room No. 11;
- "To the Committee to Audit and Control the Contingent Expenses of the Senate, room No. 102;
- "To Select Committees, rooms Nos. 99, 100, and 101;
- "To the President of the United States, room No. 59;
- "To the Committee on Finance, rooms Nos. 82 and 83;
- "To the Secretary of the Senate and his clerks, rooms No. 62, 64, 65, 66, 67, and 68;
- "To the Sergeant-at-arms, No. 84;
- "Library of the Senate, rooms Nos. 87, 89, and 111;
- "To the post office of the Senate, rooms Nos. 48 and 49;
- "Ante-chamber, No. 47;

“Senators’ retiring rooms, Nos. 53, 55, and 57;

“Ladies’ waiting room, No. 88;

“Ladies’ retiring room, No. 90;

“Document room, No. 3;

“Reporters and telegraph, room No. 92;

“Refreshment rooms for the use of senators, Nos. 109 and 110;

“Joint committees to continue to meet in the central part of the Capitol;

“Committees on Engrossed Bills and Enrolled Bills to meet in the rooms of the Secretary of the Senate.

“The committee recommend that the other rooms in the north wing, not assigned by this report, remain vacant until assigned by a report hereafter to be made by the committee, and to be submitted to the Senate.”

Mr. Hunter asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 8) to provide ice-boats on the Potomac river; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Harlan asked and, by unanimous consent, obtained leave to bring in a bill (S. 62) to establish an additional land district in the State of Iowa; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Harlan asked and, by unanimous consent, obtained leave to bring in a bill (S. 63) making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State; which was read the first and second times, by unanimous consent, and referred to the committee on Public Lands.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the petition of members of the bar of the circuit and criminal courts of the District of Columbia, reported a bill (S. 64) to equalize the salaries of certain judges of the courts for the District of Columbia, and for other purposes; which was read and passed to a second reading.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (S. 35) for the relief of Michael Kinny, late a private in company I, eighth regiment, United States army, reported it without amendment and submitted a report, (No. 9;) which was ordered to be printed.

Mr. Bigler asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 9) for the compensation of R. R. Richards, late a chaplain to the United States penitentiary, for his salary up to the 30th June, 1857; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in the Territory of New Mexico; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

On motion by Mr. Stuart, that the vote ordering the last mentioned bill to be engrossed and read a third time be reconsidered,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 52) for the relief of William B. Trotter was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The joint resolution (S. 5) to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The joint resolution (S. 6) to extend to the naval retiring board an opportunity of enjoying the same advantages of officers who have been dropped, furloughed, and retired by said board, was read the second time.

The Senate resumed the consideration of the motion of Mr. Douglas, to refer so much of the message of the President as relates to the Territory of Kansas to the Committee on Territories; and,

After debate, and the consideration of executive business,

The Senate adjourned.

TUESDAY, JANUARY 19, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate and House of Representatives:

I transmit to Congress a copy of a convention between the United States and his Majesty the king of Denmark, for the discontinuance of the Sound dues, the ratifications of which were exchanged in this city on the 12th instant, and recommend that an appropriation be made to enable the Executive seasonably to carry into effect the stipulations in regard to the sums payable to his Danish Majesty's government.

JAMES BUCHANAN.

WASHINGTON, *January* 14, 1858.

The message was read.

Ordered, That it be referred to the Committee on Finance.

On motion by Mr. Seward, that it be printed.

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Senate, showing, in obedience to law, the payments from the

contingent fund of the Senate during the year ending the 6th December, 1857; which was read.

Ordered, That it lie on the table.

On motion by Mr. Biggs, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Senate resumed the consideration of the motion of Mr. Douglas to refer so much of the message of the President as relates to the Territory of Kansas to the Committee on Territories; and,

On motion by Mr. Seward,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, to-morrow.

Mr. Wade presented the petition of Moses Olmstead, an invalid pensioner, praying to be allowed arrears and increase of pension; which, with his petition and papers on file, was referred to the Committee on Pensions.

Mr. Pugh presented the petition of John Caris and others, members of Captain Campbell's company of volunteers in the war of 1812, praying to be allowed pay and rations to the time of their discharge; which was referred to the Committee on Military Affairs and the Militia.

Mr. Pugh presented a memorial of the register and receiver of the land office at Huntsville, Alabama, praying that the compensation of registers and receivers may be increased; which was referred to the Committee on Public Lands.

Mr. Pugh presented a memorial of certain permanent residents of Kansas, praying that the Indian title to certain lands said to belong to the Muncie Indians may be extinguished, and that Congress will grant them such further relief as in justice and equity they are entitled to as bona fide settlers; which was referred to the Committee on Indian Affairs.

On motion by Mr. Pearce,

Ordered, That the memorial of Sarah A. Watson, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Houston presented the memorial of Maurice K. Simons, praying an increase of pension; which was referred, with the papers on file, to the Committee on Pensions.

Mr. Cameron presented four petitions of citizens of Philadelphia, remonstrating against the location of the post office in that city in the building lately occupied by the Bank of Pennsylvania; which were referred to the Committee on Post Offices and Post Roads.

Mr. Jones presented a petition of citizens of Taylor county, Iowa, praying that certain settlers on lands in that county may be allowed the right of pre-emption to those lands; which was referred to the Committee on Public Lands.

Mr. Iverson presented the memorial of the heirs of John Forsyth, praying that certain charges erroneously made against said Forsyth in the settlement of his accounts as United States minister at Madrid may be adjusted and the amount refunded; which was referred to the Committee on Foreign Relations.

Mr. Polk presented a memorial of the legislature of Missouri, praying that William Doty may be remunerated for losses sustained and

services rendered in effecting the arrest of certain mail robbers ; which was referred to the Committee on Claims.

Mr. Polk presented a memorial of the legislature of Missouri against the extension of Woodworth's patent for a planing machine ; which was referred to the Committee on Patents and the Patent Office.

On motion by Mr. Durkee,

Ordered, That the petition of Effie Van Ness, widow of Gant Van Ness, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Biggs,

Ordered, That John H. Wheeler have leave to withdraw his petition and papers.

On motion by Mr. Collamer,

Ordered, That the petition of John Vreeland, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Broderick presented a petition of citizens of California, praying the payment of the expenses incurred by the State of California in suppressing Indian hostilities in that State ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Broderick presented the petition of Anastacio Caxxillo, praying remuneration for losses and inconvenience suffered in consequence of the erection of a light-house on a rancho owned by him, and compensation for the ground upon which it was built ; which was referred to the Committee on Claims.

Mr. Broderick presented the petition of Thomas Jenkins, praying to be allowed arrears of pension ; which was referred to the Committee on Pensions.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of State, showing the names of the clerks and other persons employed in that department during the year 1857, reported adversely thereon ; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred a motion to print a resolution of the Academy of Natural Sciences of Philadelphia, also resolutions of the Academy of Science of St. Louis, reported adversely thereon ; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War, showing the expenditures for contingent expenses of that department during the year ending June 30, 1857, reported—

That the usual number of the report be printed ; and

The report was agreed to.

Mr. Foot, agreeably to notice, asked and obtained leave to bring in a joint resolution (S R. 10) directing the Secretary of the Interior to pay certain pension claims therein specified ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Seward submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President be requested, if not incompatible

with the public interest, to communicate to the Senate any information in his possession, derived from the officers connected with the American squadron on the coast of Africa, or from the British government, or the French government, or other official sources, concerning the condition of the African slave trade, and concerning the movements of the French government to establish a colonization in the possessions of that government from the coast of Africa.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Foreign Relations be instructed to inquire into the expediency of making such changes and modifications of the act entitled "An act to regulate the diplomatic and consular system," approved August 18, 1856, as may be necessary for the better protection and regulation of our growing and expanding commerce and intercourse with foreign nations.

Mr. Cameron, by unanimous consent, asked and obtained leave to bring in a joint resolution (S. 11) relating to public printing; which was read the first and second times, by unanimous consent, and referred to the Committee on Printing.

Mr. Clay, from the Committee on Commerce, to whom was referred a bill (S. 10) repealing all laws and parts of laws allowing bounties to vessels employed in the bank or other cod fisheries, reported it without amendment, and submitted a report, (No. 10;) which was ordered to be printed.

The Senate proceeded to consider the said bill (S. 10) as in Committee of the Whole; and,

On motion by Mr. Clay,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 2d of February next, at one o'clock.

Mr. Gwin, from the select committee on the Pacific railroad, reported a bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad, from the Missouri river to San Francisco, in the State of California; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole.

On motion by Mr. Gwin,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Monday, the first day of February next, at one o'clock.

Mr. Wilson, by unanimous consent, asked and obtained leave to bring in a bill (S. 66) to amend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Jonas P. Keller, submitted a report, (No. 11,) accompanied by a bill (S. 67) for the relief of Jonas P. Keller.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Elias Hall, submitted a report, (No. 12,) accompanied by a bill (S. 68) for the relief of Elias Hall.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Thomson, of New Jersey, from the Committee on Naval Affairs, to whom was referred the petition of Charles D. Maxwell, reported a bill (S. 69) for the relief of Dr. Charles D. Maxwell, surgeon, United States navy; which was read and passed to a second reading.

The Senate resumed the consideration of the motion of Mr. Stuart, to reconsider the vote ordering the bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in the Territory of New Mexico to be engrossed and read a third time; and,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (S. 6) to extend to the Naval Retiring Board an opportunity of enjoying the same advantages of officers who have been dropped, furloughed, and retired, by said board.

On motion by Mr. Houston,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 3) to authorize notaries public to take and certify oaths, affirmations, and acknowledgments, in certain cases, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill reported from the Court of Claims (S. 57) for the relief of James Beatty's personal representative, was read the second time and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 59) for the relief of James G. Benton, E. B. Babbitt, and James Longstreet, of the United States army, was read the second time and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Houston announced the death of the honorable Thomas J. Rusk,

which took place in the recess, and submitted the following resolutions; which were considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of the honorable Thomas J. Rusk, deceased, late a senator from the State of Texas, will go into mourning by wearing crape on the left arm for thirty days.

Resolved, unanimously, That, as an additional mark of respect for the memory of the honorable Thomas J. Rusk, the Senate do now adjourn.

Ordered, That the Secretary communicate these resolutions to the House of Representatives.

Whereupon the Senate adjourned.

WEDNESDAY, JANUARY 20, 1858.

The Vice President laid before the Senate a letter of the Secretary of War, accompanied by seventy-five copies of the Official Army Register for 1858; which was read.

Mr. Seward presented resolutions passed at the annual meeting of the Oneida County Agricultural Society, New York, in favor of the endowment and maintenance of a college in each State and Territory of the United States for instruction in agriculture and the mechanic arts; which were referred to the Committee on Public Lands.

On motion by Mr. Seward,

Ordered, That the memorial of Marshall O. Roberts and others, trustees of A. G. Sloo, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented the petition of Walter Nexsan, praying that the accounting officers may be directed to allow the pay received by him as an assistant to the purser at the navy yard at New York; which was referred to the Committee on Naval Affairs.

Mr. Seward presented a petition of citizens of Seneca, New York, praying the adoption of measures for the gradual and peaceful extinction of slavery.

Ordered, That it lie on the table.

Mr. Brown presented a memorial of the trustees of the public schools of the city of Washington, District of Columbia, praying a grant of land or an appropriation of money to aid in the support of the public schools in that city; which was referred to the Committee on the District of Columbia.

Mr. Brown presented a memorial of H. Addison and R. Ould, in behalf of the citizens and corporation of Georgetown, praying the removal of the Potomac bridge at Washington and the construction of a bridge above Georgetown; which was referred to the Committee on the District of Columbia.

On motion by Mr. Brown,

Ordered, That the memorials of the corporation of Georgetown, on the files of the Senate, in relation to deepening the harbor at that

place; the memorial of the corporation of Georgetown, on the files of the Senate, relating to the erection of a permanent bridge across the Potomac at that place; the proceedings of the criminal court of the District of Columbia and petition of citizens of Washington, on the files of the Senate, relative to a new jail in that city; and the report of the Secretary of the Interior communicating drawings and estimates for an iron suspension bridge and a stone arched bridge across the Potomac, be referred to the Committee on the District of Columbia.

Mr. King presented a petition of masters of steamers and sailing vessels and ship owners at Oswego, New York, praying the enactment of a law to establish a system of lights to be carried by vessels navigating the lakes; which was referred to the Committee on Commerce.

Mr. King presented a petition of ship masters and ship owners at Oswego, New York, praying the repeal of the law authorizing the Secretary of the Treasury to change the names of vessels in certain cases.

Ordered, That it lie on the table.

Mr. Sebastian presented the memorial of M. C. Gritzner, praying compensation for damages sustained in consequence of the non-fulfilment of a contract entered into by him with the Commissioner of Patents for preparing and executing descriptions and illustrations of patents; which was referred to the Committee on Patents and the Patent Office.

Mr. Cameron presented the petition of Elizabeth Uber, heir-at-law of Philip Wirt, an ensign in the revolutionary army, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Cameron presented the petition of George Walters, son and heir-at-law of Michael Walters, praying to be allowed the pension to which his father was entitled; which was referred to the Committee on Pensions.

On motion by Mr. Pugh,

Ordered, That the petition of George M. Gordon, on the files of the Senate, be referred to the Committee on Public Lands.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the usual number of copies of the "Treasurer's annual accounts," sent to the Senate December 15, 1857, and the letter from the "Second Auditor transmitting Indian accounts," sent to the Senate January 11, 1858, be printed for the use of this body.

Mr. Davis submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be requested to communicate to the Senate the report of J. Ross Browne, special agent of the Indian Department, on the late Indian war in Oregon and Washington Territories.

Mr. Kennedy submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on the Library:

Resolved, That Congress shall authorize the establishment of a medal department in the United States mint at Philadelphia, which

shall be directed to make copies, in appropriate metals, from the medal dies preserved in the mint, as well as from those which may hereafter be recovered or ordered by the government.

Resolved, That Congress shall supply, through the director of the mint, the cabinets of each State, of each historical society, and of such other permanent associations as it may name, with complete series of all the United States medals, as gifts, perpetuating the memory of the individuals, or of the actions they were intended to celebrate; and further, that the director of the mint be authorized to dispose of copies of said medals in gold, silver, or bronze to individuals or societies, under such regulations, and at such rates, as he, with the approbation of the Secretary of the Treasury, may prescribe.

Mr. Kennedy also presented resolutions adopted at a monthly meeting of the Maryland Historical Society, held at Baltimore on the 5th November, 1857, in favor of the establishment of a medal department in the United States mint at Philadelphia; which was referred to the Committee on the Library.

Mr. Biggs, from the Committee on Private Land Claims, to whom was referred the memorial of John Dick, submitted a report, (No. 13,) accompanied by a bill (S. 70) for the relief of John Dick, of Florida.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Kennedy, from the Committee on Private Land Claims, to whom was referred the memorial of Joseph Menard, submitted a report, (No. 14,) accompanied by a bill (S. 71) to amend an act entitled "An act to authorize a relocation of land warrants number three, four, and five, granted by Congress to General Lafayette," approved February 26, 1845.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Kennedy, from the Committee on Private Land Claims, to whom was referred the petition of Daniel Whitney, submitted a report, (No. 15,) accompanied by a bill (S. 72) for the relief of Daniel Whitney.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Biggs, from the Committee on Private Land Claims, to whom was referred the petition of Jane Smith, submitted a report, (No. 16,) accompanied by a bill (S. 73) authorizing Mrs. Jane Smith to enter certain lands in the State of Alabama.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Thomson, of New Jersey, from the Committee on Naval Affairs, to whom was referred the petition of J. Willcox Jenkins, reported a bill (S. 74) for the relief of J. Willcox Jenkins; which was read and passed to a second reading.

Mr. Chandler, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. 9) for the compensation of R. R. Richards, late a chaplain to the United States penitentiary, for his salary up to 30th June, 1857, reported it without amendment.

Mr. Iverson asked and, by unanimous consent, obtained leave to

bring in a bill (S. 75) to increase the efficiency of the army and of the marine corps by retiring disabled or infirm officers; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 50) to authorize the issuing of a register to the barque "Jehu."

The Senate resumed the consideration of the motion of Mr. Stuart, to reconsider the vote ordering the bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in New Mexico to be engrossed and read a third time; and,

Pending debate, the hour fixed for the consideration of the special order of the day having arrived,

The Vice President announced the special order of the day; and

The Senate resumed the consideration of the motion of Mr. Douglas, to refer so much of the President's message as relates to the Territory of Kansas to the Committee on Territories; and,

After debate,

On motion by Mr. Harlan,

Ordered, That the further consideration thereof be postponed until Monday next, and be the special order of the day.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (S. 50) to authorize the issuing of a register to the barque "Jehu."

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding; and,

On motion by Mr. Doolittle,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Vice President laid before the Senate a report of the Commissioner of Patents, showing the operations of the Patent Office in relation to patents during the year ending the 31st December, 1857; which was read.

On motion by Mr. Stuart, that it be printed,

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Stuart, that two thousand seven hundred copies of the said report, in addition to the usual number, be printed, two thousand copies thereof for the use of the Commissioner of Patents.

Ordered, That it be referred to the Committee on Printing.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, JANUARY 21, 1858.

Mr. Houston presented the petition of Randall Pegg, praying to be allowed the difference between the pay he received and that allowed to the other watchmen who were employed at the public buildings,

during the time he served as a watchman at the Patent Office building; which was referred to the Committee on Public Buildings and Grounds.

On motion by Mr. Hunter,

Ordered, That the petition of the legal representatives of George Mayo, deceased, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads

Mr. Seward presented the petition of Nancy Hammond, daughter of James Dunnison, a revolutionary officer, praying remuneration for her father's services and sacrifices during the revolutionary war; which was referred to the Committee on Revolutionary Claims.

Mr. Hamlin presented the petition of Joseph Dowd, praying an increase of pension; which was referred to the Committee on Pensions.

On motion by Mr. Hunter,

Ordered, That the petition and papers of G. W. Bluford, on the files of the Senate, be referred to the Committee on Claims.

Mr. Pugh presented the memorial of the Board of Trustees of the Protestant University of the United States, at Cincinnati, Ohio, praying that that institution may be endowed by a grant of public land; which was referred to the Committee on Public Lands.

On motion by Mr. Allen,

Ordered, That when the Senate adjourn it be to Monday next.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That there be paid, out of the contingent fund of the Senate, to the representatives of the late Senators Bell, Butler, and Rusk, who attended the special session of the Senate convened by the President on the fourth of March last, and who have since died, compensation for the said senators, respectively, at the rate of three thousand dollars per annum, from the commencement of said session to the time of their decease.

Mr. Fitzpatrick submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Resolved, That the Secretary of the Senate be, and he is hereby, directed to pay to Cornelius Wendell, out of the contingent fund of the Senate, the sum of fifteen cents per one hundred pages for twenty thousand copies of the Opinions of the Judges of the Supreme Court of the United States in the case of Dred Scott *versus* John F. A. Sanford.

Mr. Yulee submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to furnish to the Senate estimates for appropriations to pay such part of the volunteer force operating in Florida, during the past year, as may remain unpaid for the want of appropriations applicable to the purpose, including in such estimates all the companies that have been mustered or recognized by the order of the President.

On motion by Mr. Bright,

Ordered, That so much of the report of the Secretary of the Interior, accompanying the President's annual message, as relates to the public buildings and grounds, be referred to the Committee on Public Buildings and Grounds.

Mr. Jones presented the petition of citizens of Dubuque, Iowa, praying that a grant of land be made to aid in the construction of a railroad from some point on the Missouri river westwardly, in the direction of the Southwest Pass in the Rocky mountains, with a branch in the direction of Oregon and Washington Territories; which was referred to the Committee on Public Lands.

Mr. Gwin presented the memorial of William C. Pease, a captain in the United States revenue service, praying to be reimbursed an amount of public money lost by him while on deposit in bank, and which he has been obliged to pay out of his private funds; which was referred to the Committee on Claims.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 76) to incorporate Gonzaga College, in the city of Washington and District of Columbia; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 77) to amend an act entitled "An act to limit the liability of ship owners, and for other purposes," approved March 3, 1851; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 27) to detach Selma, in the State of Alabama, from the collection district of New Orleans, and make it a port of delivery within the collection district of Mobile.

The Speaker of the House of Representatives having signed an enrolled bill, (S. 50,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (S. 50) yesterday reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

Mr. Pugh, from the Committee on Public Lands, to whom was referred the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends, reported it without amendment, and submitted a report, (No. 17;) which was ordered to be printed.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the bill (S. 2) granting a homestead of one hundred and sixty acres of the public lands to actual settlers.

Mr. Johnson, of Tennessee, from the Committee on Public Lands, to whom was referred the bill (S. 25) to grant every person who is the head of a family and a citizen of the United States a homestead of one hundred and sixty acres of land out of the public domain, upon

condition of occupancy and cultivation of the same for the period herein specified, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and,

On motion by Mr. Johnson, of Tennessee,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Monday, the 8th of February next.

Mr. Foster, from the Committee on Public Lands, to whom were referred the petitions of Joseph Chase, James Young, and Alexander Keef, reported a bill (S. 78) to authorize the Secretary of the Interior to issue land warrants to Joseph Chase, James Young, and Alexander Keef; which was read and passed to a second reading.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom the subject was referred, reported a bill (S. 79) to increase the military establishment of the United States; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole.

On motion by Mr. Davis,

Ordered, That the further consideration of the bill be postponed to, and made the special order of the day for, Monday, the 25th instant, at half past twelve o'clock.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 80) for the relief of the heirs and legal representatives of Olivier Landry, of the State of Louisiana; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Laurent Millaudon, submitted a report, (No. 18,) accompanied by a bill (S. 81) for the relief of Laurent Millaudon.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay, from the Committee on Commerce, who were instructed, by a resolution of the Senate, to inquire into the expediency of constructing a custom-house at Keokuk, Iowa, and of making Sioux city, in that State, a port of delivery, and constructing a custom-house therein, reported the following resolution:

Resolved, That it is inexpedient to provide for the objects referred to in said resolution.

The Senate resumed the consideration of the motion of Mr. Stuart, to reconsider the vote ordering the bill (S. 39) to confirm the title of Henry Volcker to a certain tract of land in the Territory of New Mexico to be engrossed and read a third time; and

The motion was agreed to.

The Senate resumed the consideration of the said bill; and,

On the question, Shall the bill be engrossed and read a third time?

It was determined in the negative.

So the bill was rejected.

The bill (S. 60) for the relief of Tench Tilghman was read the second time and considered as in Committee of the Whole; and,

On motion by Mr. Clay,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 61) for the relief of Frederick A. Beelen was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 35) for the relief of Michael Kinney, late a private in company I, eighth regiment United States army; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 64) to equalize the salaries of certain judges of the courts for the District of Columbia, and for other purposes, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

On the question, Shall the bill be engrossed and read a third time?

On motion by Mr. Trumbull,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Bayard, from the Committee on the Judiciary, to whom were referred, by a resolution of the Senate of the 17th December, the credentials of the sitting members of this body from the State of Indiana, with all the papers on file protesting against their right to seats or relating to their election as senators in Congress by the legislature of Indiana, submitted a report, (No. 19,) accompanied by the following resolution:

Resolved, That in the case of the contested election of the honorable Graham N. Fitch and the honorable Jesse D. Bright, senators returned and admitted to their seats from the State of Indiana, that the sitting members and all persons protesting against their election, or any of them, by themselves, or their agents or attorneys, be permitted to take testimony on the allegations of the protestants and the sitting members, touching all matters of fact therein contained, before any judge of the district court of the United States, or any judge of the supreme or circuit courts of the State of Indiana, by first giving ten days' notice of the time and place of such proceeding in some public gazette printed at Indianapolis.

On motion by Mr. Bayard,

Ordered, That the report be printed.

Mr. Stuart, from the Committee on Public Lands, to whom was referred a memorial of citizens of that portion of the public domain lying east of Lake Pepin and the Mississippi river, in the Territory

of Minnesota, reported a bill (S. 82) to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half breeds or mixed bloods of the Dacotah or Sioux nation of Indians, and for other purposes," approved 17th July, 1854; which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of George M. Gordon, submitted a report, accompanied by a bill (S. 83) to vest the title to certain warrants for land in George M. Gordon.

The bill was read and passed to a second reading.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills; in which it requests the concurrence of the Senate:

H. R. 14. An act to authorize the Secretary of the Treasury to issue a register or enrolment to the vessel called the James McIndoe, now owned by Thomas Coatsworth, James G. Coatsworth, and William Coatsworth, of Buffalo, New York;

H. R. 22. An act to alter the time of holding the courts of the United States for the State of South Carolina; and

It has passed the resolution of the Senate (S. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " with an amendment; in which it requests the concurrence of the Senate.

The bill of the House of Representatives (H. R. 14) was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

The bill of the House of Representatives (H. R. 22) was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

The Senate proceeded to consider the amendment of the House of Representatives to the resolution (S. 4) to extend the operation of the act entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy.' "

Ordered, That it be referred to the Committee on Naval Affairs.

Mr. Durkee reported from the committee that they had examined and found duly enrolled the bill (S. 27) to detach Selma, in the State of Alabama, from the collection district of New Orleans and make it a port of delivery within the collection district of Mobile.

On motion by Mr. Fessenden,

Ordered, That Hope S. Newbold, widow of Charles Newbold, have leave to withdraw her petition and papers.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding; and, an amendment being proposed by Mr. Brown,

After debate, and the consideration of executive business,

The Senate adjourned.

MONDAY, JANUARY 25, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, a statement showing the number of troops stationed in Kansas each quarter since the first of January, 1855 ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Stuart, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Stuart presented a petition of commissioned officers of the rifle company of Michigan militia, called into the service of the United States to aid in maintaining the neutrality laws during the disturbances on the Canadian frontier in 1838, praying to be allowed extra pay and bounty land ; which was referred to the Committee on Public Lands.

Mr. Stuart presented a petition of ship owners, merchants, and others of Detroit, Michigan, praying the enactment of a law to regulate and establish a system of lights to be carried by sailing vessels navigating the lakes ; which was referred to the Committee on Commerce.

Mr. Foot presented the petition of Sarah W. Halsey, widow of Silas Halsey, an officer of the army, who died of disease contracted in the service, praying to be allowed a pension ; which was referred to the Committee on Pensions.

On motion by Mr. Foot,

Ordered, That the memorial of J. E. Martin, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Hamlin presented a petition of Elijah R. Huff and others, praying the establishment of a mail route between St. Joseph's, Missouri, and Marysville, in Kansas ; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Hamlin,

Ordered, That the petition of Thomas R. Carman, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Allen presented seven petitions of officers of the Rhode Island militia, praying that further provision, by law, be made for equipping the militia of the United States ; which were referred to the Committee on Military Affairs and the Militia.

Mr. Bigler presented two petitions of citizens of Richardson county, Nebraska Territory, praying indemnity for losses which will result from their removal from certain lands settled and improved by them under the impression that they were government lands ; which were referred to the Committee on Public Lands.

Mr. Johnson, of Tennessee, presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots of limited size and granted, free of cost, to actual settlers not possessed of other lands ; which was referred to the Committee on Public Lands.

Mr. Iverson presented a memorial of officers of the army, praying that the regiments of cavalry may be consolidated into one corps ;

which was referred to the Committee on Military Affairs and the Militia.

Mr. Kennedy presented the petition of Major J. L. Donaldson, assistant quartermaster in the army, praying to be released from liability for public money stolen from his possession; which was referred, with the papers on file, to the Committee on Military Affairs and the Militia.

Mr. Kennedy presented the petition of Thomas Phenix, jr., praying to be allowed extra compensation for the time he was employed as a paymaster's clerk in the army; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Kennedy,

Ordered, That the memorial of Charles G. Ridgely, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Davis presented a memorial of officers of the army, praying that the different regiments of cavalry may be consolidated into one corps; which was referred to the Committee on Military Affairs and the Militia.

Mr. Broderick presented a memorial of merchants and importers of San Francisco, California, praying that the duties paid by them on goods destroyed by fire in 1850 and 1851 may be refunded; which was referred to the Committee on Finance.

Mr. Bright presented the petition of Eunice Brown, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

On motion by Mr. Crittenden,

Ordered, That the petition of Sarah Smith Stafford, daughter of James B. Stafford, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Jones reported from the committee that they had presented to the President of the United States the 22d instant the enrolled bill (S. 56) to authorize the issuing of a register to the barque "Jehu."

Mr. Allen submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That the Committee on Printing cause to be printed and bound, in pamphlet form, in such manner as may seem to them appropriate, for the use of the Senate, ten thousand copies of the addresses made by the members of the Senate and members of the House of Representatives on the occasion of the death of the honorable James Bell, late senator from New Hampshire, the honorable Andrew P. Butler, late senator from South Carolina, and the honorable Thomas J. Rusk, late senator from Texas.

Mr. Benjamin, from the Committee on Commerce, who were instructed, by a resolution of the Senate, to inquire into the expediency of providing for the appointment of steamboat inspectors in the collection districts of Florida, and to whom were referred a petition of citizens of Franklin county, Florida, and the presentment of the grand jury of the United States district court for the northern district of Florida, on the subject, reported the following resolution:

Resolved, That, for reasons expressed in a communication of the

Secretary of the Treasury, it is inexpedient to make the appointments suggested in the resolution.

Mr. Bright submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Resolved, That the Sergeant-at-arms be authorized to appoint one of the present messengers an assistant to the superintendent of the folding room, at the same salary as the assistant of the postmaster of the Senate, to commence the first of July, 1857.

On motion by Mr. Clay,

Ordered, That the Committee on Pensions be discharged from the further consideration of the memorial of Agatha O'Brien, and that it be referred to the Committee on Military Affairs and the Militia.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 84) to provide for the better regulation of "night signals" on board "sail vessels" navigating the northwestern lakes and their tributaries, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the message of the President of the United States of the 7th instant, in relation to the arrest of William Walker and his associates, at or near the port of San Juan de Nicaragua, reported a bill (S. 85) supplementary to the act entitled "An act in addition to the 'Act for the punishment of certain crimes against the United States,' and to repeal the acts therein mentioned," approved April 20, 1818; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole.

On motion by Mr. Mason,

Ordered, That the further consideration thereof be postponed to, and be the special order of the day for, Tuesday, the 9th of February, at one o'clock.

Mr. Mason also submitted a report (No. 20) on the subject, accompanied by the following resolutions:

Resolved, That no further provisions of law are necessary to confer authority on the President to cause arrests and seizures to be made on the high seas for offences committed against the act entitled "An act in addition to the 'Act for the punishment of certain crimes against the United States,' and to repeal the acts therein mentioned," approved April 20, 1818.

Resolved, That the place where William Walker and his followers were arrested being without the jurisdiction of the United States, their arrest was without warrant of law. But, in view of the circumstances attending it, and its result, in taking away from the territory of a State in amity with the United States American citizens who were there with hostile intent, it may not call for further censure than as it might hereafter be drawn into precedent if suffered to pass without remark.

The report was read.

On motion by Mr. Mason,

Ordered, That it be printed.

On motion by Mr. Clay,

Ordered, That the Committee on Pensions be discharged from the further consideration of the bill (S. 23) for the relief of Robert Dickson, of the Kentucky volunteers, and that it be referred to the Committee on Military Affairs and the Militia.

Mr. Trumbull submitted the views of the minority of the Committee on the Judiciary, to whom were referred the credentials of the senators from Indiana, and other papers on file, relating to their election as senators in Congress; which were ordered to be printed.

Mr. Slidell asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 12) to authorize the Secretary of War to modify a contract made with Righter and Crain, for the removal of obstructions in Southwest Pass and Pass á L'Outre, at the mouth of the Mississippi river; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States; and,

On motion by Mr. Wilson,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, to-morrow, at half-past 12 o'clock.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 207) to amend an act entitled "An act granting a pension to Ansel Wilkinson," approved August 13, 1856; in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, (S. 27,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (S. 27) reported to have been examined the 21st instant, and it was delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the motion of Mr. Douglas, to refer so much of the annual message of the President of the United States as relates to the Territory of Kansas to the Committee on Territories; and,

After debate,

On motion By Mr. Brown,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Friday next, the 29th instant, at one o'clock.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 26, 1858.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, a copy of the report of J. Ross Browne, special agent of the Indian Department, on the late Indian war in Oregon and Washington Territories ; which was read.

Ordered, That it be referred to the Committee on Indian Affairs.

On motion by Mr. Gwin that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, an estimate of the quantity of lands which will enure to Minnesota for railroad purposes under the act of March 3, 1857 ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Stuart, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, a report of the commission on the war claims of Oregon and Washington Territories ; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Wilson, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in obedience to law, a statement of the appropriations applicable to the department during the fiscal year 1856-'57, the amount drawn by requisitions, the balances on the 1st July, 1857, and such appropriations as have been carried to the surplus fund ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Hunter that the report be printed,

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Gwin,

Ordered, That the petition of seamen on board the steamer Missouri, which was destroyed by fire at Gibraltar in 1843, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Green presented a memorial of the register and receiver of the land office at Fayette, Missouri, praying that the compensation of registers and receivers may be increased ; which was referred to the Committee on Public Lands.

On motion by Mr. Green,

Ordered, That the memorial of James L. Collins, on the files of the Senate, be referred to the Committee on Claims.

Mr. Green presented a petition of citizens of La Grange, Missouri, praying the establishment of a mail route from that place to Quincy, Illinois ; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Brown,

Ordered, That the petition of John L. Allen and A. R. Carter, on the files of the Senate, be referred to the Committee on Public Lands.

On motion by Mr. Brown,

Ordered, That the memorial of the corporation of Georgetown, on the files of the Senate, to be relieved from the expense of roads in Washington county, west of Rock creek, be referred to the Committee on the District of Columbia.

Mr. Seward presented a petition of citizens of New York, praying that the public lands may be granted, in limited quantities, free of cost, to actual settlers not possessed of other lands; which was referred to the Committee on Public Lands.

Mr. Seward presented a petition of citizens of Waterloo, New York, praying that provision be made by law for compensating the southern States, out of the public treasury or public domain, for the manumission of their slaves.

Ordered, That it lie on the table.

On motion by Mr. Douglas,

Ordered, That the petition of William Reynolds, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Bayard,

Ordered, That Thomas Lyons have leave to withdraw his petition and papers.

Mr. Thomson, of New Jersey, presented the memorial of Reynell Coates, praying compensation for losses sustained and services rendered while connected with the scientific corps of the south sea exploring expedition; which was referred to the Committee on Naval Affairs.

Mr. Mallory presented the petition of F. M. Gunnell, a passed assistant surgeon in the navy, praying compensation for extraordinary expenses incurred by him in the discharge of his duty in California; which was referred to the Committee on Naval Affairs.

Mr. Mallory presented the petition of J. H. Carter, for himself and J. W. Bennett and R. B. Lowry, lieutenants in the navy, praying to be allowed the difference of pay between the grades of master and lieutenant during the time they served as lieutenants in the East India squadron; which was referred to the Committee on Naval Affairs.

Mr. Bigler presented the memorial of Jane M. Kean, Mary A. Reynolds, and Catharine E. Kean, praying Congress to pass a law granting them compensation for the services of their parents in the revolutionary war; which was referred to the Committee on Revolutionary Claims.

Mr. Bigler presented the petition of George H. Howell, a passed assistant surgeon in the navy, praying to be allowed certain back pay; which was referred to the Committee on Claims.

Mr. Bigler presented the memorial of Bishop, Simons and Company, praying permission to make an experiment before a committee of Congress to exhibit the merits of Holmes' patent self-righting, self-bailing surf and life boat; which was referred to the Committee on Naval Affairs.

Mr. Pugh presented a petition of Mary Walsh and others, pensioners under the act of February 3, 1853, praying that their pensions may be continued; which was referred to the Committee on Pensions.

Mr. Pugh presented the petition of William Sawyer and other citizens of Auglaize county, Ohio, praying the confirmation of their titles to lands in section 27, the east half of section 28, and the west half of section 26, in township 5, of range east, in said county; which was referred to the Committee on Private Land Claims.

On motion by Mr. Stuart,

Ordered, That the petition of H. W. Benham, administrator of John McNiel, on the files of the Senate, be referred to the Committee on Public Lands.

Mr. Durkee presented the memorial of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States, praying the confirmation of their title to certain lands in Wisconsin; which was referred to the Committee on Private Land Claims.

On motion by Mr. Cameron,

Ordered, That the petition of Mary Petery, widow of Peter Petery, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the memorial of certain permanent residents of Kansas, presented the 19th instant, and that it be referred to the Secretary of the Interior.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of Pamela Preswick, for herself and the other heirs of William Wigton, submitted a report, accompanied by the following resolution:

Resolved, That the petition and papers in the case of Pamela Preswick, in behalf of herself and other heirs of the late Major William Wigton, praying the payment of a sum alleged to be due for services rendered by said Major Wigton, be referred to the Court of Claims.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

The resolution was agreed to.

Mr. Gwin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing mail routes from Tueson, *via* Sopori, to Tubac; also, from Tueson to Aguas Calientes, in the Arizona portion of the Territory of New Mexico.

Mr. Foot submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the compensation of the first or principal messenger in the office of the Secretary of the Senate shall be the same as that now received by the messengers of the Senate, commencing with the present fiscal year.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That there be printed, for the use of the Senate, five thousand copies of the tables of receipts and expenditures of the government from March 4, 1789, to June 30, 1857, accompanying the letter of the Secretary of the Treasury transmitting an account of the receipts and expenditures of the government for the year ending June 30, 1857.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to communicate to the Senate the annual report of Lieutenant Colonel James D. Graham, of the corps of Topographical Engineers, of his surveys, &c., of lake harbors, for the year 1857.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Secretary of the Interior be requested to communicate to the Senate the report of J. Ross Browne, special agent of the Indian Department, on the Indian affairs of Oregon and Washington Territories.

The bill (H. R. 207) to amend an act entitled "An act granting a pension to Ansel Wilkinson," approved August thirteenth, eighteen hundred and fifty-six, was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Douglas, from the Committee on Territories, to whom was referred the message of the President of the United States of the 11th instant, communicating a copy of the constitution of Minnesota, submitted a report, (No. 21,) accompanied by a bill (S. 86) for the admission of the State of Minnesota into the Union.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Polk, from the Committee on Claims, to whom was referred a bill, reported from the Court of Claims the 17th of February, 1857, for the relief of Jane Smith, of the county of Clermont, State of Ohio, with the opinion of the court on the claim, reported the bill (S. 87) without amendment.

The bill was read and passed to a second reading.

Mr. Polk, from the Committee on Claims, to whom was referred a bill, reported from the Court of Claims the 17th of February, 1857, for the relief of Lucinda Robinson, of the county of Orleans, State of Vermont, with the opinion of the court on the claim, reported the bill (S. 88) without amendment.

The bill was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred a bill, reported from the Court of Claims the 17th of February, 1857, for the relief of George Ashley, administrator *de bonis non* of Samuel Holgate, deceased, with the opinion of the court on the claim, reported the bill (S. 89) without amendment.

The bill was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred a bill, reported from the Court of Claims the 5th of February, 1857, for the relief of John Ericsson, with the opinion of the court on the claim, reported the bill (S. 90) without amendment.

The bill was read and passed to a second reading.

Mr. Iverson, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of Christine Barnard, widow of the late Major Moses J. Barnard, reported a bill (S. 91) to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army; which was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of George A. O'Brien, submitted a report, (No. 22,) accompanied by a bill (S. 92) for the relief of George A. O'Brien.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the bill (S. 26) to provide for the examination and payment of certain claims of citizens of Georgia and Alabama, on account of losses sustained by depredations of the Creek Indians, reported the same without amendment.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of Major Benjamin Alvord, reported a bill (S. 94) for the relief of Major Benjamin Alvord, paymaster United States army; which was read and passed to a second reading.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Dempsey Pittman, reported a bill (S. 95) explanatory of an act entitled "An act for the relief of Dempsey Pittman," approved August 16, 1856; which was read and passed to a second reading.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Susanna T. Lea, widow and administratrix of James Maglenen, reported a bill (S. 96) for the relief of Susannah T. Lea, widow and administratrix of James Maglenen, late of the city of Baltimore, deceased; which was read and passed to a second reading.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 97) to incorporate the Benevolent Christian Association of Washington city; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

Mr. Polk, from the Committee on Claims, to whom was referred the bill reported from the Court of Claims, the 2d of February, 1857, for the relief of Nahum Ward, with the opinion of the court on the claim, reported the bill (S. 93) without amendment and submitted an adverse report (No. 23) on the subject; which was ordered to be printed.

The bill (S. 93) for the relief of Nahum Ward was read and passed to a second reading.

Mr. Doolittle asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 13) in relation to certain liabilities assumed by the State of Wisconsin; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a resolution in relation to the death of the honorable Samuel Brenton, a member elect from the tenth Congressional district of Indiana; which I am directed to communicate to the Senate.

The House of Representatives has also passed a resolution in relation to the death of the honorable James Lockhart, a member elect to the present Congress from the first Congressional district of the State of Indiana; which I am directed to communicate to the Senate.

Mr. Bright submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of the honorable James Lockhart, deceased, late a representative elect from the State of Indiana, will go into mourning by wearing crape on the left arm for thirty days.

Mr. Fitch submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of the honorable Samuel Brenton, deceased, late a representative elect from the State of Indiana, will go into mourning by wearing crape on the left arm for thirty days.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding.

On motion by Mr. Pearce,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Thursday next, the 28th instant, at one o'clock.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 3) making appropriations for the payment of invalid and other pensions of the United States for the year ending the 30th of June, 1859; in which it requests the concurrence of the Senate.

The bill (H. R. 3) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States.

An amendment being proposed by Mr. Toombs a debate ensued; and,

On motion by Mr. Wilson,

Ordered, That the further consideration thereof be postponed to, and be the order of the day, at half-past 12 o'clock, to-morrow.

On motion by Mr. Wilson,

The Senate adjourned.

WEDNESDAY, JANUARY 27, 1858.

Mr. Doolittle presented a petition of insurance companies, owners of vessels, and others, at Milwaukie, Wisconsin, praying the enactment of a law to regulate and establish a system of lights to be carried on sailing vessels navigating the lakes; which was referred to the Committee on Commerce.

Mr. Doolittle presented a petition of citizens of Janesville, Wisconsin, praying the adoption of some practical measure for peacefully extinguishing slavery and providing compensation to the owners of slaves for their manumission.

Ordered, That it lie on the table.

Mr. Mason presented a petition of J. K. Kane and others, citizens of Philadelphia, praying that a pension may be granted to the widow of Foxhall A. Parker, late a captain in the navy; which was referred to the Committee on Naval Affairs.

On motion by Mr. Mason,

Ordered, That the petition of Bancroft Woodcock, on the files of the Senate, be referred to the Committee on Patents and the Patent Office.

Mr. Seward presented the petition of Phebe Smith, widow and executrix of Oziel Smith, praying indemnity for property destroyed by the enemy during the war of 1812; which was referred to the Committee on Claims.

Mr. Seward presented the petition of Frances Ann McCauley, widow of Daniel S. McCauley, late consul general at Alexandria, in Egypt, praying compensation for certain judicial duties performed by her husband, under the act of August 11, 1848; which was referred to the Committee on Foreign Relations.

Mr. Wilson presented the memorial of Eliza Gerry Townsend, widow of David S. Townsend, late a paymaster in the army, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Foot presented the petition of William C. Fowler and others, praying to be allowed bounty land for services in the last war with Great Britain; which was referred to the Committee on Public Lands.

Mr. Cameron presented the petition of James A. Glanding, praying a pension for a wound received in the defence of Baltimore, in 1814; which was referred to the Committee on Pensions.

Mr. Bigler presented the memorial of Henry S. Crabbe, first clerk to the commandant of the navy yard at Philadelphia, praying Congress to correct an error in relation to his compensation; which was referred to the Committee on Claims.

On motion by Mr. Bigler,

Ordered, That the petition of Joseph Paul, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Bigler presented the petition of James Suddards, a passed assistant surgeon in the navy, praying to be allowed a balance of pay which he alleges to be due him; which was referred to the Committee on Claims.

On motion by Mr. Hale,

Ordered, That the petition of Noah Smith, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Pugh presented resolutions of the legislature of Ohio, opposed to the admission of Kansas into the Union under the Lecomptom constitution or any other constitution which has not been submitted to and approved by a vote of the people.

Ordered, That they lie on the table and be printed.

Mr. Slidell presented a memorial of the register and receiver of the land office at New Orleans, praying that the compensation of registers and receivers may be increased; which was referred to the Committee on Public Lands.

Mr. Jones presented a memorial of citizens of Fort Dodge and a memorial of citizens of Iowa Falls, in the State of Iowa, praying that a grant of land may be made to aid in the construction of a railroad from some point on the Missouri river, westward in the direction of the South Pass, in the Rocky mountains, with a branch in the direction of Oregon and Washington Territories; which were referred to the Committee on Public Lands.

Mr. Fessenden presented the petition of John M. Chase, for himself and others, owners of the barque Attica, praying that certain money paid on account of that vessel may be refunded; which was referred to the Committee on Commerce.

On motion by Mr. Sebastian,

Ordered, That the petition of Elizabeth Monroe, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Yulee,

Ordered, That the petition of the legal representatives of Jehu Underwood, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Yulee,

Ordered, That the petition of Joshua Mercer, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Yulee presented a petition of citizens of Florida, praying the establishment of a light-ship or light-house near the entrance of Bay-port harbor, in that State; which was referred to the Committee on Commerce.

Mr. Yulee submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be directed to consider if any changes are advisable in the organization of the Post Office Department.

Mr. Harlan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to inquire into the propriety of the passage of a law making it the duty of the Commissioner of the General Land Office to send abstracts, quarterly, of all entries of public lands lying in each State and Territory to the governor of each, respectively, applying for the same, and to report by bill or otherwise.

On motion by Mr. Brown,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the memorial of the corporation of Georgetown relative to the improvement of the navigation at that place, and the memorial of the said corporation relative to improving the harbor of Georgetown, and that they be referred to the Committee on Commerce.

Mr. Jones reported from the committee that they had presented to the President of the United States, the 26th instant, the enrolled bill (S. 27) to detach Selma, in the State of Alabama, from the collection district of New Orleans and make it a port of delivery within the collection district of Mobile.

Mr. Wilson asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 14) authorizing the appointment of commissioners to examine into the difficulties in the affairs of the Territory of Utah, with a view to their settlement; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 15) authorizing a renewal of certain contracts for carrying the mails on the Mississippi river; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Broderick, agreeably to notice, asked and obtained leave to bring in a bill (S. 98) to authorize and direct the payment of certain moneys into the treasury of the State of California which were collected in the ports of said State as a revenue upon imports since the ratification of the treaty of peace between the United States and the republic of Mexico, and prior to the admission of said State into the Union; which was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Davis submitted, as presenting the views of the minority of the select committee on the Pacific railroad, the form of an amendment, which he gave notice of his intention to move as an amendment to the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California.

Ordered, That it be printed.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States has approved and signed an act (S. 27) to detach Selma, in the State of Alabama, from the collection district of New Orleans and make it a port entry and delivery within the collection district of Mobile.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Hamlin, from the Committee on the District of Columbia, to whom were referred the memorial of the Columbia Institution for the instruction of the Deaf and Dumb and the Blind and the petition of sundry citizens of the District of Columbia, submitted a report, (No.

24,) accompanied by a bill (S. 99) to amend the "act to incorporate the Columbia Institution for the instruction of the Deaf and Dumb and the Blind," approved February 16, 1857.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Gwin,

Ordered, That the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California, be printed, in connexion with the amendment submitted by Mr. Davis as presenting the views of the minority of the select committee on the Pacific railroad, and intended to be proposed to the said bill.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States.

Mr. Toombs withdrew his proposed amendment.

On motion by Mr. Gwin, to amend the bill by striking out all after the enacting clause and in lieu thereof inserting:

That there shall be added to the army one regiment of dragoons, one regiment of mounted riflemen, and three regiments of infantry, five surgeons, and ten assistant surgeons.

SEC 2. *And be it further enacted, That the officers, non-commissioned officers, musicians, and privates herein authorized to be appointed, or enlisted, shall be governed by the rules and articles of war which have been established by law, or by such rules and articles as may be hereafter established by law; and shall be subject to all the provisions, and entitled to all the benefits, of all laws applying to officers, troops, or corps of the same denomination in the existing establishment;*

It was determined in the negative, { Yeas..... 8
Nays 38

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bigler, Green, Gwin, Houston, Johnson, of Tennessee, Polk, Slidell.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Biggs, Bright, Broderick, Brown, Cameron, Chandler, Clay, Crittenden, Davis, Dixon, Doolittle, Douglas, Durkee, Evans, Fessenden, Foot, Foster, Hale, Hammond, Harlan, Hunter, Iverson, Jones, King, Mallory, Pearce, Pugh, Sebastian, Seward, Simmons, Stuart, Toombs, Trumbull, Wade, Wilson, Wright.

So the proposed amendment was rejected.

On motion by Mr. Toombs, to amend the bill by striking out the first section of the bill, after the enacting clause;

After debate,

On motion by Mr. Stuart,

The Senate adjourned.

THURSDAY, JANUARY 28, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, the report of Captain J. C. Woodruff, of the Topographical Engineers, of a survey or examination of the Potomac river, in the vicinity of Washington city, accompanied by a chart thereof; which was read.

Ordered, That it be referred to the Committee on Commerce.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, estimates for appropriations to pay volunteers serving in Florida; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

Mr. King presented a petition of ship owners and others at Buffalo, New York, praying the enactment of a law to regulate and establish a system of lights to be carried by sailing vessels navigating the lakes; which was referred to the Committee on Commerce.

Mr. Allen presented the memorial of Daniel J. Browne, of the agricultural division of the Patent Office, praying compensation for extra services and an increase of his salary; which was referred to the Committee on Claims.

Mr. Allen presented the memorial of G. W. Lippitt, praying compensation for diplomatic services while United States consul at Vienna; which was referred to the Committee on Foreign Relations.

Mr. Fessenden presented the memorial of George M. Weston, commissioner of the State of Maine, praying the reimbursement of expenditures by that State in defending the territory in dispute between the United States and Great Britain prior to the treaty of Washington; which was referred to the Committee on Foreign Relations.

Mr. Brown presented a memorial of a committee appointed at a special meeting of the Provident Association of Clerks, praying the enactment of a law to authorize the association to wind up its affairs; which was referred to the Committee on the District of Columbia.

Mr. Brown presented a memorial of the corporation of Georgetown, in the District of Columbia, praying an appropriation to complete the erection of lamp posts in that town; which was referred to the Committee on the District of Columbia.

On motion by Mr. Mallory,

Ordered, That the petition of Joseph Chaires, executor of Benjamin Chaires, deceased, and Gad Humphreys and Pedro Miranda, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Bigler presented the petition of O. H. Browne, praying indemnity for depredations in Kansas, committed by marauders, during the political excitement in that Territory; which was referred to the Committee on Claims.

Mr. Seward presented a petition of commissioners appointed by an

act of the legislature of the State of New York, to erect and take charge of the arsenals and armories in the State, praying that the United States arsenal at Rome, New York, may be ceded to the State; which was referred to the Committee on Military Affairs and the Militia.

Mr. Bigler presented a memorial of underwriters of Philadelphia, praying that a steam revenue cutter may be built at that place and stationed in the Delaware bay and the coast adjacent thereto; which was referred to the Committee on Commerce.

Mr. Mallory presented a petition of citizens of Florida, praying the establishment of a mail route from Mellonville to Bayport, in that State; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Seward, that the report of the Secretary of War on the survey of the Potomac river near Washington be printed, with the accompanying chart,

Ordered, That it be referred to the Committee on Printing.

Mr. Mallory submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a mail between Mellonville and Bayport, Florida, *via* Apopka Lake, Harris Lake, Adamsville, Sumpterville, Monroe's Ferry, Pierceville, and Spring Hill.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to communicate to the Senate the amount of expenditure for the support of the Military Academy at West Point for the past year, including compensation of cadets and all offices connected therewith.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be directed to inquire into the expediency of repealing the law creating the Light-house Board.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing, by law, a post route from Marion, in the State of Arkansas, *via* Walnut Grove, Lyle's Ferry, and Neely's Ferry to "Walnut Camp," in said State, and report by bill or otherwise.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

In answer to the resolution of the Senate of the 7th instant, requesting information on the subject of contracts made in Europe for inland passage tickets for intending emigrants to the United States, I trans-

mit a report from the Secretary of State, and the documents by which it was accompanied.

JAMES BUCHANAN.

WASHINGTON, *January 27*, 1858.

The message was read.

Ordered, That it lie on the table.

On motion by Mr. King, that the message be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, a statement showing the amount of revenue collected in each collection district, for each year, from 1852 to 1857, inclusive; the amount expended, and the number of persons employed in each district in its collection for each of those years; which was read.

Ordered, That it lie on the table.

On motion by Mr. Wilson that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 105) to ascertain and adjust the titles to certain lands in Kansas; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the memorial of Nathaniel Champe, in behalf of the heirs of John Champe, submitted an adverse report, (No. 31;) which was ordered to be printed.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of William C. Fowler and others, a petition of citizens of New York presented the 25th instant, and a petition of citizens of New York presented the 26th instant.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the petition of S. W. Aldrick and other officers of the Tampico Mounted Rangers, and the memorial of Lewis Morris, reported the following resolution:

Resolved, That the prayer of the petitioners and of the memorialist be rejected.

The Senate proceeded, by unanimous consent, to consider the resolution; and

The resolution was agreed to.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of H. W. Benham, submitted a report, (No. 26,) accompanied by a bill (S. 100) releasing to the legal representatives of John McNeil, deceased, the title of the United States to a certain tract of land.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the bill (S. 30) for the relief of Elizabeth Montgomery, heir of Hugh Montgomery, reported it with an amendment and submitted a report, (No. 25,) which was ordered to be printed.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of Agatha O'Brien, widow of J. P. J. O'Brien, submitted a report, (No. 27,) accompanied by a bill (S. 101) for the relief of Mrs. Agatha O'Brien, widow of Brevet Major J. P. J. O'Brien, late of the United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Thomas Phenix, jr., submitted a report, (No. 28,) accompanied by a bill (S. 102) for the relief of Thomas Phenix, jr.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Toombs, from the Committee on Commerce, to whom was referred the petition of S. De Visser and Company, reported a bill (S. 103) for the relief of Simon De Visser and Jose Villarubia, of New Orleans; which was read and passed to a second reading.

Mr. Slidell, from the select committee appointed to examine into the condition of the corporations or associations acting as banks of deposit, discount, and issue, in the District of Columbia, reported a bill (S. 104) to prohibit the issue of bank notes by corporations, associations, or individuals, within the District of Columbia, and further to prevent the circulation of bank notes issued by any incorporated company or association of individuals located beyond the limits of the District of Columbia of a less denomination than fifty dollars; which was read and passed to a second reading.

Mr. Slidell submitted a special report (No. 29) on the subject; which was ordered to be printed.

Mr. Slidell, from the same committee, also submitted the following resolution:

Resolved, That it is inexpedient to authorize the establishment, either by general or special laws, of banks of issue within the District of Columbia.

The Senate proceeded to consider the resolution; and,

On motion by Mr. Slidell,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 9th of February, at one o'clock.

The bill (S. 104) last mentioned was read the second time, by unanimous consent, and considered as in Committee of the Whole.

On motion by Mr. Slidell,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 9th of February, at one o'clock.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 47) confirming the location of land warrants under certain circumstances, reported the same with an amendment, and submitted a report, (No. 30,) which was ordered to be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States, with the amendment proposed thereto by Mr. Toombs; and,

After debate,

On motion by Mr. Stuart,

Ordered, That the further consideration of the bill be postponed for the purpose of considering the resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding, with the amendment proposed by Mr. Brown; and

The Senate resumed, as in Committee of the Whole, the consideration of the said resolution; and,

After debate,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed to Tuesday, the 9th of February, and be the order of the day.

On motion by Mr. Slidell,

Ordered, That when the Senate adjourn it be to Monday next.

On motion by Mr. Davis,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States, with the amendment proposed thereto by Mr. Toombs; and,

After debate,

On motion by Mr. Crittenden, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 31
Nays 11

On motion by Mr. Jones,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Biggs, Bigler, Broderick, Brown, Chandler, Clay, Crittenden, Dixon, Doolittle, Evans, Fessenden, Fitch, Foot, Foster, Green, Hamlin, Hammond, Houston, Hunter, Johnson, of Tennessee, Jones, King, Mason, Pearce, Polk, Pugh, Simmons, Toombs, Trumbull, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Davis, Douglas, Harlan, Iverson, Sebastian, Seward, Stuart, Wade, Wilson, Wright.

So the Senate adjourned.

MONDAY, FEBRUARY 1, 1858.

Mr. Wade presented the petition of S. W. Turner and A. A. Turner, praying compensation for carrying the mail; which was referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented a petition of citizens of New York, praying that the public lands may be laid out in lots or farms, and granted, free of cost, to actual settlers not possessed of other lands; which was referred to the Committee on Public Lands.

On motion by Mr. Seward,

Ordered, That the petitions of J. Hosford Smith, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Doolittle presented a petition of citizens of Appleton, Wisconsin, praying Congress to take measures for the acquisition of Cuba

and its annexation to the United States; which was referred to the Committee on Foreign Relations.

Mr. Fitzpatrick presented a memorial of the legislature of Alabama, praying the establishment of an armory for the manufacture of cannon and other arms in that State; which was referred to the Committee on Military Affairs and the Militia, and ordered to be printed.

Mr. Pugh presented the petition of Alexander Hays, late a lieutenant in the army, praying relief in the settlement of his accounts; which was referred to the Committee on Military Affairs and the Militia.

Mr. Pugh presented a petition of the Ohio State Board of Agriculture, praying that a donation of land may be made to each of the States for the establishment of agricultural colleges therein; which was referred to the Committee on Public Lands.

Mr. Pugh presented a paper, signed by the democratic members of the legislature of the State of Ohio, recommending an increase of the salaries of the United States judges for the districts of that State; which was referred to the Committee on the Judiciary.

Mr. Kennedy presented the petition of Elizabeth A. Middleton, praying to be allowed a sum of money expended by her father, Captain Belain Posey, in the revolutionary war; which was referred to the Committee on Revolutionary Claims.

Mr. Stuart presented a petition of inhabitants of Michigan, praying that a donation of land may be made for the use of the Michigan Agricultural College; which was referred to the Committee on Public Lands.

On motion by Mr. Stuart,

Ordered, That the memorial of John T. Wright, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Slidell presented a resolution of the Chamber of Commerce of New Orleans, recommending that a suitable steam cutter be stationed at the mouth of the Mississippi river; which was referred to the Committee on Commerce.

Mr. Brown presented a memorial of citizens of Washington, D. C., praying an appropriation of money or lands to aid in the support of the public schools of the District; which was referred to the Committee on the District of Columbia.

Mr. Gwin presented a memorial of A. M. Winn, praying payment of expenses incurred in relieving the sick and in burying the dead in California, some of whom were emigrants from every State in the Union; which was referred to the Committee on Claims.

Mr. Gwin presented a memorial of the trustees of the Odd Fellows' and Masonic Hospital at Sacramento city, California, praying the payment of the amount expended in relieving the sick in California; which was referred to the Committee on Claims.

Mr. Broderick presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots, and granted, free of cost, to actual settlers not possessed of other lands; which was referred to the Committee on Public Lands.

On motion by Mr. Broderick,

Ordered, That the petition of A. S. Wright, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

Mr. Collamer presented the petition of Anna Addison, widow of William H. Addison, late a captain in the "Sea Fencibles," praying that her pension may be continued; which was referred to the Committee on Pensions.

Mr. Iverson presented the petition of Isaac W. Brown, representing that he has invented a new and useful fire-arm, which invention, as he alleges, is used in the United States service, and praying an investigation thereof; which was referred to the Committee on Patents and the Patent Office.

Mr. Polk, from the Committee on Claims, to whom was referred the memorial of the heirs and representatives of Gaetano Carusi, submitted a report, accompanied by the following resolution:

Resolved, That the case of the heirs and representatives of Gaetano Carusi, now pending before the Senate, be referred to the Court of Claims.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

The resolution was agreed to.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 63) to supply an omission in the enrollment of a certain act therein mentioned; in which it requests the concurrence of the Senate.

The bill (H. R. 63) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Slidell submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be instructed to inquire into the expediency of increasing the compensation now allowed by law to pension agents.

Mr. Slidell submitted a paper on the subject of the foregoing resolution; which was referred to the Committee on Pensions.

Mr. Seward presented the memorial of E. F. Smith, of the firm of Smith, Perkins and Company, of Rochester, New York, praying that a penalty paid by that firm for forfeiture of a debenture bond may be refunded; which was referred to the Committee on Finance.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a bill (S. 106) for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith; which was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Bigler asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 16) in relation to the statistics of mines and manufactures of the United States; which was read the first and

second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Polk, from the Committee on Claims, to whom was referred the petition of Ephraim Hunt, submitted a report, (No. 32,) accompanied by a bill (S. 107) for the relief of Ephraim Hunt.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Polk, from the Committee on Claims, to whom was referred a bill reported from the Court of Claims the 2d February, 1857, for the relief of O. H. Berryman, with the opinion of the court on the claim, reported the bill (S. 108) without amendment and submitted an adverse report (No. 33) on the subject; which was ordered to be printed.

The bill (S. 108) was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred a bill reported from the Court of Claims the 27th June, 1856, for the relief of Moses Noble, with the opinion of the court on the claim, reported the bill (S. 109) without amendment.

The bill (S. 109) was read and passed to a second reading.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 97) to incorporate the Benevolent Christian Association of Washington city, reported it with amendments.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 76) to incorporate Gonzaga College in the city of Washington and District of Columbia, reported it without amendment.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 110) for the relief of Mrs. Jane Turnbull; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Gwin also submitted a paper on the subject; which was referred to the Committee on Pensions.

Mr. Collamer asked and, by unanimous consent, obtained leave to bring in a bill (S. 111) to alter the times of holding the circuit and district courts of the United States for the district of Vermont; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (S. 53) for the relief John McVey, reported it without amendment and submitted an adverse report, (No. 34;) which was ordered to be printed.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate the annual expense of erecting light-houses and supporting the light-house system since the creation of the Light-house Board, and also the expense for the same number of years preceding the establishment of said board.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States; and,

After debate,

On motion by Mr. Wilson,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, to-morrow, at half-past twelve o'clock.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California.

On motion by Mr. Douglas, that the further consideration thereof be postponed until to-morrow, for the purpose of considering the bill (S. 86) for the admission of the State of Minnesota into the Union,

A debate ensued ; and,

On motion by Mr. Clay,

The Senate adjourned.

TUESDAY, FEBRUARY 2, 1858.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, a statement showing the cost of the printing, binding, and paper ordered by Congress for each year, beginning with December, 1845, and ending with the late session ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Seward, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate reports of the Court of Claims, made in pursuance of law, adverse to the claim of Samuel C. Reid, for himself and in behalf of the owners, officers, and crew of the private armed brig General Armstrong ; the claim of Rebekah Heald ; the claim of Benjamin H. Springer ; the claim of John Etheridge ; and the claim of the Illinois Central Railroad Company.

On motion,

Ordered, That they be referred to the Committee on Claims.

The Vice President laid before the Senate a report of the Secretary of War, communicating returns of the militia of the States and Territories, with their arms, accoutrements, and ammunition, for the year 1857 ; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

Mr. Brown presented a petition of citizens of Washington, District of Columbia, praying the passage of an act to incorporate the Columbia Wood-gas Company ; which was referred to the Committee on the District of Columbia.

Mr. Wilson presented the memorial of E. R. Livingston, praying an examination of his system of arranging and indexing legislative

documents and papers ; which was referred to the Committee on the Library.

Mr. Stuart presented a petition of inhabitants of Michigan, praying that a grant of land may be made for the benefit of the Michigan Agricultural College ; which was referred to the Committee on Public Lands.

Mr. Bigler presented the petition of P. S. Duval and Company, praying indemnity for the loss of paper and plates for the second volume of the Japan expedition, which were destroyed by fire in Philadelphia in April, 1856 ; which was referred to the Committee on Claims.

Mr. Evans presented the petition of Mary S. Taylor, widow of Alexander S. Taylor, a volunteer in the war of 1812, praying to be allowed bounty land ; which was referred to the Committee on Public Lands.

Mr. Evans presented the petition of Anna M. E. Ring, praying that a land warrant may be issued to herself and sisters in lieu of one issued to their father for services in the war of 1812 ; which was referred to the Committee on Private Land Claims.

Mr. Davis presented a petition of Lieutenant Colonel Johnson and other cavalry officers, remonstrating against the incorporation of the dragoons and mounted riflemen with the cavalry ; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Bright,

Ordered, That the petition of Adam Hays, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Yulee presented a presentment of the grand jury of St. John's county, Florida, in favor of the appropriation of certain lots and buildings at St. Augustine for the promotion of education in that State ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Yulee presented a communication from E. E. Blackburn, United States marshal for the northern district of Florida, in favor of an amendment of the act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts of the United States ; which was referred to the Committee on the Judiciary.

Mr. Hale submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on the District of Columbia be instructed to inquire into the state and condition of the prisons in the District, their sufficiency to prevent the escape of prisoners, the nature and propriety of the rules and regulations for the government and discipline of the inmates of the penitentiary, the capacity of the present building used for a penitentiary for the efficient and convenient discharge of all the duties incident to such an institution, the expediency and propriety of erecting a new building for a penitentiary, and the procuring a different site from the one now occupied ; and, also, the expediency of conferring the appointment of warden of the penitentiary on the board of inspectors of the prison, and, generally,

what improvements and alterations are necessary to render the system in this District equal to that in many of the States.

Mr. Yulee submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on the Judiciary be directed to inquire what alterations are advisable to be made in the existing laws regulating the fees of marshals and other officers connected with the courts of the United States in the several States and District of Columbia, and to report by bill or otherwise.

Mr. Bright, from the Committee on Public Buildings and Grounds, to whom was referred the petition of Sarah Foy, reported—

That the said petition and accompanying papers be referred to the Court of Claims.

The Senate proceeded to consider the report ; and, in concurrence therewith,

Ordered, That the petition of Sarah Foy, with the accompanying papers, be referred to the Court of Claims.

Mr. Bright, from the Committee on Public Buildings and Grounds, to whom was referred the petition of Randall Pegg, reported—

That the committee be discharged from the further consideration of the petition and that it be referred to the Committee on Claims.

The Senate proceeded to consider the report ; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the petition of Randall Pegg and that it be referred to the Committee on Claims.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of the heirs of Isaac and Sarah Blauvelt, submitted an adverse report, (No. 40 ; which was ordered to be printed.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Albert G. Hopper and Nancy Baldwin, heirs of Garrett A. Hopper, submitted an adverse report, (No. 41 ;) which was ordered to be printed.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of John Wentworth, submitted an adverse report, (No. 42 ;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of Elijah Roath, submitted an adverse report, (No. 43 ;) which was ordered to be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the petition of William Moss, submitted an adverse report, (No. 44 ;) which was ordered to be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the petition of the legal representatives of George Mayo, deceased, submitted an adverse report, (No. 45 ;) which was ordered to be printed.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 112) authorizing a drawback on old railroad iron imported, re-rolled, and re-exported ; which was read the first and

second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 3) making appropriations for the payment of invalid and other pensions of the United States for the year ending the 30th June, 1859, reported it without amendment.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Nathan Weeks, submitted a report, (No. 35,) accompanied by a bill (S. 113) for the relief of the heirs of Lieutenant Nathan Weeks, deceased.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred so much of the message of the President of the United States as relates to the claim made by the government in the case of the schooner *Amistad*, reported a bill (S. 114) to indemnify the master and owners of the Spanish schooner *Amistad* and her cargo; which was read and passed to a second reading.

Mr. Mason, from the Committee on Foreign Relations, also submitted a special report (No. 36) on the subject; which was ordered to be printed.

Mr. Seward submitted the views of the minority of the committee; which were ordered to be printed with the report.

Mr. Seward, from the Committee on Foreign Relations, to whom was referred the petition of J. Hosford Smith, reported a bill (S. 115) for the relief of J. Hosford Smith; which was read and passed to a second reading.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (S. 44) to amend an act entitled "An act amendatory of existing laws relative to the half dollar, quarter dollar, dime, and half dime," approved 21st February, 1852, reported it without amendment, and that it ought not to pass.

The Senate proceeded to consider the said bill (S. 44) as in Committee of the Whole; and,

On motion by Mr. Hunter,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Monday, the 15th instant, at one o'clock.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Jeremiah Pendergast, submitted a report, (No. 37,) accompanied by a bill (S. 116) for the relief of Jeremiah Pendergast, of the District of Columbia.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of William Allen, submitted a report, (No. 38,) accompanied by a bill (S. 117) for the relief of William Allen, of Portland, in the State of Maine.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 63) to supply an omission in the enrollment of a certain act therein named, reported it without amendment.

The Senate proceeded to consider the said bill (H. R. 63) as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the memorial of William J. Walker and others, reported a joint resolution (S. 17) explanatory of the "Joint resolution giving an increased compensation to all laborers in the employment of the executive and legislative departments of the government in the city of Washington," approved August 18, 1856; which was read and passed to a second reading.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the memorial of John Scott, submitted a report, (No. 39,) accompanied by a bill (S. 118) for the relief of John Scott, Hill W. House, and Samuel O. House.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad, from the Missouri river to San Francisco, in the State of California.

On motion by Mr. Clay,

Ordered, That the further consideration of the bill be postponed to, and be the order of the day for, to-morrow, at half-past 12 o'clock.

Whereupon

The Senate resumed, as in Committee of the Whole, the bill (S. 79) to increase the military establishment of the United States; and,

After debate,

The hour of one o'clock having arrived, to which a special order had been postponed, the Vice President called up the bill (S. 10) repealing all laws allowing bounties to vessels employed in the Bank and cod fisheries; and,

On motion by Mr. Seward,

Ordered, That the further consideration thereof be postponed until to-morrow.

Whereupon

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States; and,

After further debate,

Ordered, That the further consideration thereof be postponed until to-morrow.

The following message was received from the President of the United States by Mr. Henry, his secretary :

To the Senate and House of Representatives of the United States :

I have received from J. Calhoun, esq., president of the late constitutional convention of Kansas, a copy, duly certified by himself, of the constitution framed by that body, with the expression of a hope that I would submit the same to the consideration of Congress, "with the view of the admission of Kansas into the Union as an independent State." In compliance with this request, I herewith transmit to Congress, for their action, the constitution of Kansas, with the ordinance respecting the public lands, as well as the letter of Mr. Calhoun, dated at Leecompton on the 14th ultimo, by which they were accompanied. Having received but a single copy of the constitution and ordinance, I send this to the Senate.

A great delusion seems to pervade the public mind in relation to the condition of parties in Kansas. This arises from the difficulty of inducing the American people to realize the fact that any portion of them should be in a state of rebellion against the government under which they live. When we speak of the affairs of Kansas, we are apt to refer merely to the existence of two violent political parties in that Territory, divided on the question of slavery, just as we speak of such parties in the States. This presents no adequate idea of the true state of the case. The dividing line there is not between two political parties, both acknowledging the lawful existence of the government, but between those who are loyal to this government and those who have endeavored to destroy its existence by force and by usurpation—between those who sustain and those who have done all in their power to overthrow the territorial government established by Congress. This government they would long since have subverted had it not been protected from their assaults by the troops of the United States. Such has been the condition of affairs since my inauguration. Ever since that period a large portion of the people of Kansas have been in a state of rebellion against the government, with a military leader at their head of a most turbulent and dangerous character. They have never acknowledged, but have constantly renounced and defied the government to which they owe allegiance, and have been all the time in a state of resistance against its authority. They have all the time been endeavoring to subvert it and to establish a revolutionary government, under the so-called Topeka constitution, in its stead. Even at this very moment the Topeka legislature are in session. Whoever has read the correspondence of Governor Walker with the State Department, recently communicated to the Senate, will be convinced that this picture is not overdrawn. He always protested against the withdrawal of any portion of the military force of the United States from the Territory, deeming its presence absolutely necessary for the preservation of the regular government and the execution of the laws. In his very first despatch to the Secretary of State, dated June 2, 1857, he says: "The most alarming movement, however, proceeds from the assembling on the 9th June of the so-called Topeka legislature, with a view to the enactment of an entire code of laws. Of course it will be my endeavor to prevent such

a result, as it would lead to inevitable and disastrous collision, and, in fact, renew the civil war in Kansas." This was with difficulty prevented by the efforts of Governor Walker; but soon thereafter, on the 14th of July, we find him requesting General Harney to furnish him a regiment of dragoons to proceed to the city of Lawrence—and this for the reason that he had received authentic intelligence, verified by his own actual observation, that a dangerous rebellion had occurred, "involving an open defiance of the laws and the establishment of an insurgent government in that city."

In the governor's despatch of July 15, he informs the Secretary of State "that this movement at Lawrence was the beginning of a plan, originating in that city, to organize insurrection throughout the Territory; and especially in all towns, cities, or counties where the republican party have a majority. Lawrence is the hot bed of all the abolition movements in this Territory. It is the town established by the abolition societies of the east, and whilst there are respectable people there, it is filled by a considerable number of mercenaries who are paid by abolition societies to perpetuate and diffuse agitation throughout Kansas, and prevent a peaceful settlement of this question. Having failed in inducing their own so-called Topeka State legislature to organize this insurrection, Lawrence has commenced it herself, and, if not arrested, the rebellion will extend throughout the Territory."

And again: "In order to send this communication immediately by mail, I must close by assuring you that the spirit of rebellion pervades the great mass of the republican party of this Territory, instigated, as I entertain no doubt they are, by eastern societies, having in view results most disastrous to the government and to the Union; and that the continued presence of General Harney here is indispensable, as originally stipulated by me, with a large body of dragoons and several batteries."

On the 20th July, 1857, General Lane, under the authority of the Topeka convention, undertook, as Governor Walker informs us, "to organize the whole so-called free State party into volunteers, and to take the names of all who refuse enrolment. The professed object is to protect the polls, at the election in August, of the new insurgent Topeka State legislature."

"The object of taking the names of all who refuse enrolment is to terrify the free State conservatives into submission. This is proved by recent atrocities committed on such men by Topekaites. The speedy location of large bodies of regular troops here, with two batteries, is necessary. The Lawrence insurgents await the development of this new revolutionary military organization," &c., &c.

In the governor's despatch of July 27th, he says that "General Lane and his staff everywhere deny the authority of the territorial laws, and counsel a total disregard of these enactments."

Without making further quotations of a similar character from other despatches of Governor Walker, it appears by a reference to Mr. Stanton's communication to General Cass, of the 9th of December last, that the "important step of calling the legislature together was taken after I [he] had become satisfied that the election ordered by the convention on the 21st instant could not be conducted without collision

and bloodshed." So intense was the disloyal feeling among the enemies of the government established by Congress, that an election which afforded them an opportunity, if in the majority, of making Kansas a free State, according to their own professed desire, could not be conducted without collision and bloodshed!

The truth is, that, up till the present moment, the enemies of the existing government still adhere to their Topeka revolutionary constitution and government. The very first paragraph of the message of Governor Robinson, dated on the 7th of December, to the Topeka legislature, now assembled at Lawrence, contains an open defiance of the Constitution and laws of the United States. The governor says: "The convention which framed the constitution at Topeka originated with the people of Kansas Territory. They have adopted and ratified the same twice by a direct vote, and also indirectly through two elections of State officers and members of the State legislature. Yet it has pleased the administration to regard the whole proceeding revolutionary."

This Topeka government, adhered to with such treasonable pertinacity, is a government in direct opposition to the existing government prescribed and recognized by Congress. It is a usurpation of the same character as it would be for a portion of the people of any State of the Union to undertake to establish a separate government, within its limits, for the purpose of redressing any grievance, real or imaginary, of which they might complain, against the legitimate State government. Such a principle, if carried into execution, would destroy all lawful authority and produce universal anarchy.

From this statement of facts, the reason becomes palpable why the enemies of the government authorized by Congress have refused to vote for delegates to the Kansas constitutional convention, and also afterwards on the question of slavery submitted by it to the people. It is because they have ever refused to sanction or recognize any other constitution than that framed at Topeka.

Had the whole Lecompton constitution been submitted to the people, the adherents of this organization would doubtless have voted against it, because, if successful, they would thus have removed an obstacle out of the way of their own revolutionary constitution. They would have done this, not upon a consideration of the merits of the whole or any part of the Lecompton constitution, but simply because they have ever resisted the authority of the government authorized by Congress, from which it emanated.

Such being the unfortunate condition of affairs in the Territory, what was the right, as well as the duty, of the law abiding people? Were they silently and patiently to submit to the Topeka usurpation, or adopt the necessary measures to establish a constitution under the authority of the organic law of Congress?

That this law recognized the right of the people of the Territory, without any enabling act from Congress, to form a State constitution, is too clear for argument. For Congress "to leave the people of the Territory perfectly free," in framing their constitution, "to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States," and then to say that they

shall not be permitted to proceed and frame a constitution in their own way, without an express authority from Congress, appears to be almost a contradiction in terms. It would be much more plausible to contend that Congress had no power to pass such an enabling act, than to argue that the people of a Territory might be kept out of the Union for an indefinite period, and until it might please Congress to permit them to exercise the right of self-government. This would be to adopt not "their own way," but the way which Congress might prescribe.

It is impossible that any people could have proceeded with more regularity in the formation of a constitution than the people of Kansas have done. It was necessary, first, to ascertain whether it was the desire of the people to be relieved from their territorial dependence and establish a State government. For this purpose, the territorial legislature, in 1855, passed a law "for taking the sense of the people of this Territory upon the expediency of calling a convention to form a State constitution" at the general election to be held in October, 1856. The "sense of the people" was accordingly taken, and they decided in favor of a convention. It is true that at this election the enemies of the territorial government did not vote, because they were then engaged at Topeka, without the slightest pretext of lawful authority, in framing a constitution of their own for the purpose of subverting the territorial government.

In pursuance of this decision of the people in favor of a convention, the territorial legislature, on the 27th day of February, 1857, passed an act for the election of delegates on the third Monday of June, 1857, to frame a State constitution. This law is as fair in its provisions as any that ever passed a legislative body for a similar purpose. The right of suffrage at this election is clearly and justly defined. "Every *bona fide* inhabitant of the Territory of Kansas" on the third Monday of June, the day of the election, who was a citizen of the United States above the age of twenty-one, and had resided therein for three months previous to that date, was entitled to vote. In order to avoid all interference from neighboring States or Territories with the freedom and fairness of the election, provision was made for the registry of the qualified voters; and, in pursuance thereof, nine thousand two hundred and fifty-one voters were registered. Governor Walker did his whole duty in urging all the qualified citizens of Kansas to vote at this election. In his inaugural address, on the 27th May last, he informed them that "under our practice the preliminary act of framing a State constitution is uniformly performed through the instrumentality of a convention of delegates chosen by the people themselves. That convention is now about to be elected by you under the call of the territorial legislature, created and still recognized by the authority of Congress, and clothed by it, in the comprehensive language of the organic law, with full power to make such an enactment. The territorial legislature, then, in assembling this convention, were fully sustained by the act of Congress, and the authority of the convention is distinctly recognized in my instructions from the President of the United States."

The governor also clearly and distinctly warns them what would be the consequences if they should not participate in the election.

“The people of Kansas, then, (he says) are invited by the highest authority known to the Constitution, to participate, freely and fairly, in the election of delegates to frame a constitution and State government. The law has performed its entire appropriate function when it extends to the people the right of suffrage, but it cannot compel the performance of that duty. Throughout our whole Union, however, and wherever free government prevails, those who abstain from the exercise of the right of suffrage authorize those who do vote to act for them in that contingency; and the absentees are as much bound, under the law and Constitution, where there is no fraud or violence, by the act of the majority of those who do vote, as if all had participated in the election. Otherwise, as voting must be voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative.”

It may also be observed, that at this period any hope, if such had existed, that the Topeka constitution would ever be recognized by Congress, must have been abandoned. Congress had adjourned on the 3d March previous, having recognized the legal existence of the territorial legislature in a variety of forms, which I need not enumerate. Indeed, the delegate elected to the House of Representatives, under a territorial law, had been admitted to his seat, and had just completed his term of service on the day previous to my inauguration.

This was the propitious moment for settling all difficulties in Kansas. This was the time for abandoning the revolutionary Topeka organization, and for the enemies of the existing government to conform to the laws, and to unite with its friends in framing a State constitution. But this they refused to do, and the consequences of their refusal to submit to lawful authority and vote at the election of delegates may yet prove to be of a most deplorable character. Would that the respect for the laws of the land which so eminently distinguished the men of the past generation could be revived! It is a disregard and violation of law which have for years kept the Territory of Kansas in a state of almost open rebellion against its government. It is the same spirit which has produced actual rebellion in Utah. Our only safety consists in obedience and conformity to law. Should a general spirit against its enforcement prevail, this will prove fatal to us as a nation. We acknowledge no master but the law; and should we cut loose from its restraints, and every one do what seemeth good in his own eyes, our case will indeed be hopeless.

The enemies of the territorial government determined still to resist the authority of Congress. They refused to vote for delegates to the convention, not because, from circumstances which I need not detail, there was an omission to register the comparatively few voters who were inhabitants of certain counties of Kansas in the early spring of 1857, but because they had predetermined, at all hazards, to adhere to their revolutionary organization, and defeat the establishment of any other constitution than that which they had framed at Topeka. The election was, therefore, suffered to pass by default; but of this result the qualified electors who refused to vote can never justly complain.

From this review, it is manifest that the Lecompton convention, ac-

according to every principle of constitutional law, was legally constituted and was invested with power to frame a constitution.

The sacred principle of popular sovereignty has been invoked in favor of the enemies of law and order in Kansas. But in what manner is popular sovereignty to be exercised in this country, if not through the instrumentality of established law? In certain small republics of ancient times the people did assemble in primary meetings, passed laws, and directed public affairs. In our country this is manifestly impossible. Popular sovereignty can be exercised here only through the ballot-box; and if the people will refuse to exercise it in this manner, as they have done in Kansas at the election of delegates, it is not for them to complain that their rights have been violated.

The Kansas convention, thus lawfully constituted, proceeded to frame a constitution, and, having completed their work, finally adjourned on the 7th day of November last. They did not think proper to submit the whole of this constitution to a popular vote, but they did submit the question whether Kansas should be a free or a slave State to the people. This was the question which had convulsed the Union and shaken it to its very centre. This was the question which had lighted up the flames of civil war in Kansas, and had produced dangerous sectional parties throughout the confederacy. It was of a character so paramount in respect to the condition of Kansas as to rivet the anxious attention of the people of the whole country upon it, and it alone. No person thought of any other question. For my own part, when I instructed Governor Walker, in general terms, in favor of submitting the constitution to the people, I had no object in view except the all-absorbing question of slavery. In what manner the people of Kansas might regulate their other concerns was not a subject which attracted any attention. In fact, the general provisions of our recent State constitutions, after an experience of eight years, are so similar and so excellent that it would be difficult to go far wrong at the present day in framing a new constitution.

I then believed, and still believe, that, under the organic act, the Kansas convention were bound to submit this all-important question of slavery to the people. It was never, however, my opinion that, independently of this act, they would have been bound to submit any portion of the constitution to a popular vote, in order to give it validity. Had I entertained such an opinion, this would have been in opposition to many precedents in our history, commencing in the very best age of the republic. It would have been in opposition to the principle which pervades our institutions, and which is every day carried out into practice, that the people have the right to delegate to representatives, chosen by themselves, their sovereign power to frame constitutions, enact laws, and perform many other important acts, without requiring that these should be subjected to their subsequent approbation. It would be a most inconvenient limitation of their own power, imposed by the people upon themselves, to exclude them from exercising their sovereignty in any lawful manner they think proper. It is true that the people of Kansas might, if they had pleased, have required the convention to submit the constitution to a popular vote;

but this they have not done. The only remedy, therefore, in this case, is that which exists in all other similar cases. If the delegates who framed the Kansas constitution have in any manner violated the will of their constituents, the people always possess the power to change their constitution or their laws, according to their own pleasure.

The question of slavery was submitted to an election of the people of Kansas on the 21st December last, in obedience to the mandate of the Constitution. Here, again, a fair opportunity was presented to the adherents of the Topeka constitution, if they were the majority, to decide this exciting question "in their own way," and thus restore peace to the distracted Territory; but they again refused to exercise their right of popular sovereignty, and again suffered the election to pass by default.

I heartily rejoice that a wiser and better spirit prevailed among a large majority of these people on the first Monday of January; and that they did, on that day, vote under the Lecompton constitution for a governor and other State officers, a member of Congress, and for members of the legislature. This election was warmly contested by the parties, and a larger vote was polled than at any previous election in the Territory. We may now reasonably hope that the revolutionary Topeka organization will be speedily and finally abandoned, and this will go far towards the final settlement of the unhappy differences in Kansas. If frauds have been committed at this election, either by one or both parties, the legislature and the people of Kansas, under their constitution, will know how to redress themselves and punish these detestable but too common crimes without any outside interference.

The people of Kansas have, then, "in their own way," and in strict accordance with the organic act, framed a constitution and State government; have submitted the all-important question of slavery to the people, and have elected a governor, a member to represent them in Congress, members of the State legislature, and other State officers. They now ask admission into the Union under this constitution, which is republican in its form. It is for Congress to decide whether they will admit or reject the State which has thus been created. For my own part, I am decidedly in favor of its admission, and thus terminating the Kansas question. This will carry out the great principle of non-intervention recognized and sanctioned by the organic act, which declares in express language in favor of "non-intervention by Congress with slavery in the States or Territories," leaving "the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." In this manner, by localizing the question of slavery, and confining it to the people whom it immediately concerned, every patriot anxiously expected that this question would be banished from the halls of Congress, where it has always exerted a baneful influence throughout the whole country.

It is proper that I should briefly refer to the election held under an act of the territorial legislature, on the first Monday of January last, on the Lecompton constitution. This election was held after the

Territory had been prepared for admission into the Union as a sovereign State, and when no authority existed in the territorial legislature which could possibly destroy its existence or change its character. The election, which was peaceably conducted under my instructions, involved a strange inconsistency. A large majority of the persons who voted against the Lecompton constitution were at the very same time and place recognizing its valid existence in the most solemn and authentic manner, by voting under its provisions. I have yet received no official information of the result of this election.

As a question of expediency, after the right has been maintained, it may be wise to reflect upon the benefits to Kansas and to the whole country which would result from its immediate admission into the Union, as well as the disasters which may follow its rejection. Domestic peace will be the happy consequence of its admission, and that fine Territory, which has hitherto been torn by dissensions, will rapidly increase in population and wealth, and speedily realize the blessings and the comforts which follow in the train of agricultural and mechanical industry. The people will then be sovereign, and can regulate their own affairs in their own way. If a majority of them desire to abolish domestic slavery within the State, there is no other possible mode by which this can be effected so speedily as by prompt admission. The will of the majority is supreme and irresistible when expressed in an orderly and lawful manner. They can make and unmake constitutions at pleasure. It would be absurd to say that they can impose fetters upon their own power which they cannot afterwards remove. If they could do this, they might tie their own hands for a hundred as well as for ten years. These are fundamental principles of American freedom, and are recognized, I believe, in some form or other, by every State constitution; and Congress, in the act of admission, should think proper to recognize them, I can perceive no objection to such a course. This has been done emphatically in the constitution of Kansas. It declares in the bill of rights that "all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit, and therefore they have at all times an inalienable and indefeasible right to alter, reform, or abolish their form of government in such manner as they may think proper." The great State of New York is at this moment governed under a constitution framed and established in direct opposition to the mode prescribed by the previous constitution. If, therefore, the provision changing the Kansas constitution, after the year one thousand eight hundred and sixty-four, could by possibility be construed into a prohibition to make such a change previous to that period, this prohibition would be wholly unavailing. The legislature already elected may, at its very first session, submit the question to a vote of the people whether they will or will not have a convention to amend their constitution and adopt all necessary means for giving effect to the popular will.

It has been solemnly adjudged by the highest judicial tribunal known to our laws, that slavery exists in Kansas by virtue of the Constitution of the United States. Kansas is, therefore, at this moment as much a slave State as Georgia or South Carolina. Without this the equal-

ity of the sovereign States composing the Union would be violated, and the use and enjoyment of a Territory acquired by the common treasure of all the States would be closed against the people and the property of nearly half the members of the confederacy. Slavery can therefore never be prohibited in Kansas except by means of a constitutional provision, and in no other manner can this be obtained so promptly, if a majority of the people desire it, as by admitting it into the Union under its present constitution.

On the other hand, should Congress reject the constitution, under the idea of affording the disaffected in Kansas a third opportunity of prohibiting slavery in the State, which they might have done twice before if in the majority, no man can foretell the consequences.

If Congress, for the sake of those men who refused to vote for delegates to the convention when they might have excluded slavery from the constitution, and who afterwards refused to vote on the 21st December last, when they might, as they claim, have stricken slavery from the constitution, should now reject the State because slavery remains in the constitution, it is manifest that the agitation upon this dangerous subject will be renewed in a more alarming form than it has ever yet assumed.

Every patriot in the country had indulged the hope that the Kansas and Nebraska act would put a final end to the slavery agitation, at least in Congress, which had for more than twenty years convulsed the country and endangered the Union. This act involved great and fundamental principles, and if fairly carried into effect will settle the question. Should the agitation be again revived, should the people of the sister States be again estranged from each other with more than their former bitterness, this will arise from a cause, so far as the interests of Kansas are concerned, more trifling and insignificant than ever stirred the elements of a great people into commotion. To the people of Kansas, the only practical difference between admission or rejection depends simply upon the fact whether they can themselves more speedily change the present constitution if it does not accord with the will of the majority, or frame a second constitution to be submitted to Congress hereafter. Even if this were a question of mere expediency, and not of right, the small difference of time, one way or the other, is of not the least importance, when contrasted with the evils which must necessarily result to the whole country from a revival of the slavery agitation.

In considering this question, it should never be forgotten that, in proportion to its insignificance, let the decision be what it may, so far as it may affect the few thousand inhabitants of Kansas, who have from the beginning resisted the constitution and the laws, for this very reason the rejection of the constitution will be so much the more keenly felt by the people of fourteen of the States of this Union, where slavery is recognized under the Constitution of the United States.

Again: The speedy admission of Kansas into the Union would restore peace and quiet to the whole country. Already the affairs of this Territory have engrossed an undue proportion of public attention. They have sadly affected the friendly relations of the people of the States with each other, and alarmed the fears of patriots for the safety

of the Union. Kansas once admitted into the Union, the excitement becomes localized, and will soon die away for want of outside aliment. Then every difficulty will be settled at the ballot-box.

Besides—and this is no trifling consideration—I shall then be enabled to withdraw the troops of the United States from Kansas, and employ them on branches of service where they are much needed. They have been kept there, on the earnest importunity of Governor Walker, to maintain the existence of the territorial government and secure the execution of the laws. He considered that at least two thousand regular troops, under the command of General Harney, were necessary for this purpose. Acting upon his reliable information, I have been obliged, in some degree, to interfere with the expedition to Utah, in order to keep down rebellion in Kansas. This has involved a very heavy expense to the government. Kansas once admitted, it is believed there will no longer be any occasion there for troops of the United States.

I have thus performed my duty on this important question, under a deep sense of responsibility to God and my country. My public life will terminate within a brief period; and I have no other object of earthly ambition than to leave my country in a peaceful and prosperous condition, and to live in the affections and respect of my countrymen. The dark and ominous clouds which now appear to be impending over the Union, I conscientiously believe may be dissipated with honor to every portion of it by the admission of Kansas during the present session of Congress; whereas, if she should be rejected, I greatly fear these clouds will become darker and more ominous than any which have ever yet threatened the Constitution and the Union.

JAMES BUCHANAN.

WASHINGTON, *February 2*, 1858.

The message was read.

On motion by Mr. Bigler, that it be printed and referred to the Committee on Territories,

After debate,

On motion by Mr. Chandler,
The Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1858

Mr. Stuart presented a memorial of a number of persons styling themselves Hollanders, adopted citizens of Michigan, praying an appropriation for completing the improvement of the Black Lake harbor, in that State, and compensation for the Holland Colony pile-driver, which was lost with a portion of the pier erected in the waters of Lake Michigan; which was referred to the Committee on Commerce.

Mr. Broderick presented a resolution of the legislature of California, in favor of the establishment of a mail route from San Francisco to Petaluma, and from thence to Humboldt and Trinity; which was referred to the Committee on Post Offices and Post Roads.

Mr. Broderick presented resolutions of the legislature of California, in favor of a tri-monthly mail between San Francisco and Crescent

City, by steamers, and between Crescent City and Yreka, and Trinidad and Yreka; which were referred to the Committee on Post Offices and Post Roads

Mr. Seward presented a petition of citizens of Morrisania, New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of settlers not possessed of other lands; which was referred to the Committee on Public Lands.

On motion by Mr. Durkee,

Ordered, That the petition of Prudence Couch, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Cameron presented the petition of William W. Hubbell, inventor of a new and useful improvement in eccentric explosive shells, praying compensation for an infringement of his patent; which was referred to the Committee on Military Affairs and the Militia.

Mr. Iverson presented a memorial of officers of the first and second regiments of dragoons, and of the regiment of mounted riflemen, praying such an amendment of the laws creating the five regiments of mounted troops as will make them one corps; which was referred to the Committee on Military Affairs and the Militia.

Mr. Houston submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be requested to furnish, for the information of the Senate, a full statement, exhibiting such action as has been taken in his department in relation to the appropriation of five years' pay to the officers of the navy of the late republic of Texas, embracing

1. The names of the persons who have been paid under the act referred to, the amount to each, and the nature of the evidence on which payment was made.

2. A copy of his decision in the case of Captain John G. Tod, of said navy, together with a copy of all the papers upon which said decision was founded.

Mr. Harlan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the constitutionality and expediency of a law allowing the new States such increased representation in Congress as their present population would entitle them under the apportionment of 1850.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the report of the Court of Claims on the claim of Samuel C. Reid and others, officers and crew of the private armed brig General Armstrong, and that it be referred to the Committee on Foreign Relations.

Mr. Davis asked and, by unanimous consent, obtained leave to bring in a bill (S. 119) for the relief of the officers and soldiers of the army who were stationed at Fort Kearny, Nebraska Territory, previous to the first day of March, 1853; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Mallory, from the Committee on Naval Affairs, to whom was

referred the petition of John Hughes, submitted an adverse report, (No. 46;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of John Pope, submitted an adverse report, (No. 47;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of William H. Kennon, submitted an adverse report, (No. 48;) which was ordered to be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the report of the Court of Claims on the claim of David Myerle, submitted a report, (No. 49,) accompanied by a bill (S. 120) for the relief of David Myerle.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred a bill reported from the Court of Claims the 28th July, 1856, for the relief of Sturges, Bennett and Company, merchants of the city of New York, with the opinion of the court on the claim, reported the bill (S. 121) without amendment and submitted an adverse report, (No. 50;) which was ordered to be printed.

The bill (S. 121) was read and passed to a second reading.

Mr. Hale, from the Committee on Naval Affairs, to whom was referred the memorial of Thomas Ap Catesby Jones, reported a bill (S. 122) for the relief of Thomas Ap Catesby Jones; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate accordingly.

On the question, Shall this bill be engrossed and read a third time?

It was objected to by Mr. Stuart as against the rule.

Mr. Polk, from the Committee on Claims, to whom was referred the petition of Henry Hubbard, submitted a report, (No. 51,) accompanied by a bill (S. 123) for the relief of Henry Hubbard.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (H. R. 22) to alter the time of holding the courts of the United States in the State of South Carolina, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 3) making appropriations for the payment of invalid and other pensions of the United States for the year ending the 30th June, 1859; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (S. 9) for the compensation of R. R. Richards, late chaplain to the United States penitentiary, for his salary up to the 30th June, 1857; and, no amendment being made, it was reported to the Senate.

Ordered, That the resolution be engrossed and read a third time.

The said resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 81) to amend an act for the relief of Whitemarsh B. Seabrook and others; in which it requests the concurrence of the Senate.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,'" with the amendment of the House of Representatives thereto, reported that the Senate concur in the amendment with an amendment.

The Senate proceeded to consider the amendment of the House of Representatives to the joint resolution (S. R. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy;'" and,

On the question to agree to the amendment reported by the Committee on Naval Affairs thereto,

It was determined in the affirmative.

A further amendment being proposed by Mr. Fessenden to the amendment of the House,

The hour arrived for the consideration of the special order; and

The further consideration of the joint resolution, (S. R. 4,) with the amendment of the House, was postponed until to-morrow.

The Senate resumed the consideration of the motion made by Mr. Bigler, to print the message of the President of the United States transmitting the constitution of the Territory of Kansas, and to refer the message to the Committee on Territories.

On motion by Mr. Wilson, and by unanimous consent, the question was taken on so much of the motion as proposed that the message be printed; and

It was determined in the affirmative.

On the question to agree to the residue of the motion, viz, to refer the message to the Committee on Territories,

An amendment was proposed by Mr. Wilson; and,

After debate, and the consideration of executive business, by unanimous consent,

The Senate adjourned.

THURSDAY, FEBRUARY 4, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in pursuance of law, a statement showing the expenses of the armories, and the number of arms and appendages made and altered thereat during the year ending June 30, 1857; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Gwin that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, a statement showing the amount expended for the support of the military academy during the past year; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Gwin, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Gwin presented a petition of citizens of New York, praying that the public lands may be laid off in farms or lots and granted free of cost to actual settlers only who are not possessed of other lands.

Ordered, That it lie on the table.

Mr. Jones presented resolutions of the legislature of Iowa, instructing the senators and requesting the representatives of that State in Congress to oppose the admission of Kansas into the Union as a State under the Lecompton constitution.

Ordered, That they lie on the table and be printed.

On motion by Mr. Clay,

Ordered, That the petition of John S. Devlin, and the petition of Sarah S. Hine, widow of E. C. Hine, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Hunter presented the memorial of George W. Flood, a laborer in the Topographical Bureau, praying compensation for services performed as clerk; which was referred to the Committee on Claims.

Mr. Iverson presented the petition of Edward Ambush and Robert Boston, employed as laborers by the Court of Claims, praying additional compensation; which was referred to the Committee on Claims.

Mr. Johnson, of Tennessee, presented a petition of citizens of Terryville, Connecticut, praying that the public lands may be reserved for the use of actual settlers; which was referred to the Committee on Public Lands.

Mr. Pugh presented a memorial of the directors and faculty of Farmer's College, Hamilton county, Ohio, praying that land be granted to the several States and Territories for the establishment of agricultural colleges therein; which was referred to the Committee on Public Lands.

Mr. Harlan presented a resolution of the legislature of Iowa, in favor of a weekly or semi-weekly mail from Dyersville to Dacotah, in

that State; which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

The bill (H. R. 81) to amend an act for the relief of Whitemarsh B. Seabrook and others was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Yulee submitted the following motion; which was considered, by unanimous consent, and referred to the Committee on Printing:

Ordered, That fifteen hundred additional copies of Senate report No. 20 be printed for the use of the Senate.

On motion by Mr. Allen,

Ordered, That when the Senate adjourn it be to Monday next.

Mr. Davis presented the petition of Sarah M. Smead, praying that the pension she now receives may be increased and continued; which was referred to the Committee on Pensions.

Mr. Wade submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior cause to be transmitted to the Senate the papers of Richard Fitch, of Ohio, in the Pension Office, on his application, No. 260,565, for bounty land for his services during the war of 1812.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Foreign Relations be instructed to inquire whether it is in the contemplation of the government of Turkey to send to this country an officer of rank in their navy with a view to obtain information concerning American improvements in naval architecture and equipment, and to superintend the construction of one or more vessels of war for the Turkish navy at the ship yards of this country; and, in such case, whether any and what steps should be taken by this government to manifest its good will towards the government of Turkey, by giving to such officer an appropriate reception, and otherwise to further the objects of his mission.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Printing be instructed to inquire and report to the Senate what amount has been paid, annually, during the last five years, to each of the printing establishments in the city of Washington for printing and advertising of any kind for the United States other than that ordered by either House of Congress, whether done by the direction of any department or civil or military officer thereof; also, whether the same has been paid under the provisions of existing law; and whether any amendments of existing laws are necessary in order to secure proper economy in the printing expenditures of the government, and to report by bill or otherwise.

Mr. Green submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be requested to communicate to the Senate the number and tonnage of the government vessels employed in the Pacific ocean, as well government vessels proper as private vessels, employed by government in transporting coal or other

supplies for the United States, and the annual expense thereof, with specifications in detail.

Mr. Foot submitted the following resolution for consideration :

Resolved, That the following be added at the end of the 11th rule, and which shall constitute a part of said rule :

And all motions to take up any business for consideration, or to postpone any question pending before the Senate, with a view to take up some other question indicated by the mover, shall be put to the Senate by the Chair and shall be decided without debate.

Mr. Slidell submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Finance be instructed to inquire into the expediency of defining more precisely, by law, whether by the date of shipment at, or that of departure from, foreign ports the value of merchandise imported into the United States shall be fixed for the purpose of estimating the duties thereon.

Mr. Pugh asked and, by unanimous consent, obtained leave to bring in a bill (S. 124) to provide for the holding of the stated terms of the circuit and district courts of the United States for the northern and southern districts of the State of Ohio, and for other purposes ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

The Vice President having announced the special order of the day,

Mr. Crittenden asked and, by unanimous consent, obtained leave to make a report.

Whereupon

Mr. Crittenden, from the select committee to whom was referred the bill (S. 45) to provide for the ascertainment and satisfaction of claims of American citizens for spoliations committed by the French prior to the thirty-first day of July, 1801, reported it without amendment and submitted a special report (No. 53) on the subject ; which was ordered to be printed.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 45) last mentioned ; and,

On motion by Mr. Crittenden,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Thursday, the 18th instant, at one o'clock.

Mr. Durkee, from the Committee on Revolutionary Claims, to whom was referred the memorial of the legal representatives of James Bell, deceased, submitted a report, (No. 52,) accompanied by a bill (S. 125) for the relief of the legal representatives of James Bell, deceased.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 63) to supply an omission in the enrolment of a certain act therein named.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The Speaker of the House of Representatives having

signed an enrolled bill, (H. R. 63,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 63,) and it was delivered to the committee to be presented to the President of the United States.

On motion by Mr. Slidell, that the Senate reconsider the vote agreeing to the resolution submitted by him to-day,

It was determined in the affirmative.

The Senate resumed the consideration of the said resolution; and, having been amended on the motion of Mr. Slidell, it was agreed to, as follows:

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of defining more precisely, by law, whether by the date of shipment at, or that of departure from, foreign ports the value of merchandise imported into the United States shall be fixed for the purpose of estimating the duties thereon.

The Senate proceeded to consider the resolution reported by the Committee on the Judiciary, to whom was referred the protest against the election of the honorable Jesse D. Bright and the honorable Graham N. Fitch as senators in Congress from the State of Indiana; and

An amendment being proposed by Mr. Trumbull,

After debate,

On motion by Mr. Bayard, that the resolution lie on the table,

It was determined in the affirmative, { Yeas..... 29
Nays 18

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Broderick, Brown, Cameron, Clay, Davis, Douglas, Evans, Green, Gwin, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mason, Polk, Pugh, Sebastian, Slidell, Stuart, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

So it was

Ordered, That the resolution lie on the table.

The Vice President having announced the special order of the day, Mr. Douglas, by unanimous consent, had leave to submit the following resolutions; which were read:

Resolved, That the President be requested to furnish all the information within his possession or control on the following points:

1st. The returns and votes for and against a convention at an election held in the Territory of Kansas in October, 1856.

2d. The census and registration of votes in the Territory of Kansas under the provisions of the act of said legislature, passed in February, 1857, providing for the election of delegates and assembling a convention to frame a constitution.

3d. The returns of an election held in said Territory on the 21st of December, 1857, under the schedule of the Lecompton constitution,

upon the question of "constitution with slavery," or "constitution without slavery."

4th. The returns of an election held in the Territory of Kansas on the fourth day of January, 1858, under the authority of a law passed by the legislature of said Territory, submitting the constitution formed by the Lecompton convention to a vote of the people for ratification or rejection.

5th. The returns of the election held in said Territory on the fourth day of January, 1858, under the schedule of the Lecompton constitution, for governor and other State officers, and for members of the legislature, specifying the names of each officer to whom a certificate of election has been accorded, and the number of votes cast and counted for each candidate, and distinguishing between the votes returned within the time and in the mode provided in said schedule and those returned subsequently and in other modes, and stating whether at either of said elections any returns of votes were rejected in consequence of not having been returned in time, or to the right officer, or in proper form, or for any other cause, stating, specifically, for what cause.

6th. All correspondence between any of the executive departments and secretary or Governor Denver relating to Kansas affairs, and which has not been communicated to the Senate.

Resolved, That in the event all the information desired in the foregoing resolution is not now in the possession of the President or of any of the executive departments, he be respectfully requested to give the proper orders and take the necessary steps to procure the same for the use of the Senate.

The Senate resumed the consideration of the motion by Mr. Bigler, to refer to the Committee on Territories the message of the President of the United States transmitting the constitution of Kansas; and,

After debate,

On motion by Mr. Collamer,

The Senate adjourned.

MONDAY, FEBRUARY 8, 1858.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in obedience to the 8th section of the act of July 22, 1854, for the action of Congress, transcripts of certain private land claims in New Mexico, which have been examined and approved by the surveyor general of that Territory; which was read.

Ordered, That it be referred to the Committee on Private Land Claims.

The Vice President presented a petition of citizens of the United States, praying that the public lands may no longer be sold for the purposes of revenue, but be held for the exclusive use of actual settlers and cultivators; which was referred to the Committee on Public Lands.

Mr. Biggs presented the memorial of Anna M. McKenney, widow of William McKenney, late a chaplain in the navy, who died of

disease contracted in the service, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Allen presented a resolution of the legislature of the State of Rhode Island and Providence Plantations, instructing the senators and requesting the representatives of that State in Congress to vote against the admission of Kansas into the Union as a State under the Lecompton constitution ; which was read.

Ordered, That it be printed.

Mr. Mason presented a petition of citizens of Georgetown, District of Columbia, praying that the bill, reported by the select committee, to restrain the issue of bank notes in the District of Columbia, may not become a law.

Ordered, That it lie on the table.

On motion by Mr. Mason that the petition be printed.

Ordered, That it be referred to the Committee on Printing.

Mr. Bigler presented four memorials of citizens of Pennsylvania, praying Congress to provide a system of instruction on board of our ships-of-war, as a means of improving the personnel of the ships' crews ; which was referred to the Committee on Naval Affairs.

Mr. Fitzpatrick presented a memorial of the register and receiver of the land office at St. Stephens, Alabama, praying that the compensation of registers and receivers may be increased ; which was referred to the Committee on Public Lands.

Mr. Jones presented the petition of Louisa Merrill, widow of an officer of the army who was killed in the Mexican war, praying the renewal of her pension ; which was referred to the Committee on Pensions.

Mr. Jones presented the petition of James B. Thomas, praying compensation for Indian depredations ; which was referred to the Committee on Indian Affairs.

Mr. Jones presented four petitions of citizens of Iowa, praying that the Des Moines river grant, to the source of the river, may be confirmed to the State of Iowa upon condition that the State will construct a railroad from Keokuk to the source of the Des Moines river, in Minnesota ; which were referred to the Committee on Public Lands.

Mr. Wilson presented a petition of George Clement and others, praying that the public lands may be appropriated to the free and exclusive use of actual settlers not possessed of other lands.

Ordered, That it lie on the table.

Mr. Seward presented a memorial of Bishop Potter, of New York, and other clergymen, also a memorial of insurance companies, merchants, and others, of the city of New York, praying that a system of instruction may be introduced on board of our ships-of-war, for the improvement of the personnel of the navy ; which was referred to the Committee on Naval Affairs.

On motion by Mr. Sebastian,

Ordered, That the memorial of David Butler, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Fitzpatrick,

Ordered, That James D. Cobb have leave to withdraw his petition and papers.

Mr. Green presented two petitions of citizens of Nebraska, and a petition of citizens of Mount Ray, Kansas, praying the establishment of a mail route from St. Joseph, Missouri, to Pawnee City, Nebraska; which were referred to the Committee on Post Offices and Post Roads.

Mr. Iverson presented the petition of Sheldon C. Dunning, legal representative of John Love, a surgeon's mate in the revolutionary war, praying a pension; which was referred to the Committee on Revolutionary Claims.

Mr. Iverson presented the petition of C. E. Habicht, administrator of J. W. P. Lewis, praying the payment of a balance due said Lewis as agent for building a light-house on Sand Key, in Florida; which was referred to the Committee on Claims.

Mr. Biggs, from the Committee on Private Land Claims, to whom was referred the petition of Joseph Chaires, executor of B. Chaires, deceased, and Gad Humphreys and Pedro Miranda, submitted a report, (No. 54,) accompanied by a bill (S. 126) for the relief of the heirs and legal representatives of José de la Maya Arredondo.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a bill (S. 127) to repeal the fifth section of an act entitled "An act to authorize the register or enrolment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of George Phelps, submitted a report, (No. 55,) accompanied by a bill (S. 128) for the relief of George Phelps.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That ten thousand copies of the message of the President of the United States communicating a constitution for Kansas as a State, and presenting his views in relation to the affairs of that Territory, be printed for the use of the Senate.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 3. An act making appropriations for the payment of invalid and other pensions of the United States for the year ending the thirtieth of June, eighteen hundred and fifty-nine.

H. R. 22. An act to alter the time of holding the courts of the United States for the State of South Carolina.

Mr. Jones reported from the committee that they presented to the President of the United States, the 4th instant, an enrolled bill

(H. R. 63) to supply an omission in the enrollment of a certain act therein named.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The President of the United States approved and signed, the fifth instant, an act (H. R. 63) to supply an omission in the enrollment of a certain act therein named.

The Speaker of the House of Representatives having signed two enrolled bills, (H. R. 3 and H. R. 22,) I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the two enrolled bills (H. R. 3 and H. R. 22) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the motion of Mr. Bigler, to refer the message of the President of the United States communicating the constitution for the State of Kansas, adopted by the convention at Lecompton, to the Committee on Territories; and,

On motion by Mr. Wilson, to amend the motion by adding thereto:

And that the committee be instructed to ascertain the number of votes given in each county in the Territory upon the question of calling a convention to form a constitution; to inquire into the appointment of delegates to the convention, and the census and registration under which the same was made, and whether the same was in compliance with law; the number of votes cast for each candidate for delegate to the convention, and the places where cast, and whether said constitution received the votes of a majority of the delegates to said convention; the number of votes cast in said Territory on the 21st of December last for and against said constitution, and for and against any parts thereof, and the number so cast at each place of voting; the number of votes cast on the 4th day of January last, for and against said constitution, and the number so cast at each place of voting; the number of votes cast on the 4th day of January for any State and legislative officers thereof, and the number so cast for each candidate for such offices, and the places where cast; and that said committee also ascertain, as nearly as possible, what portion, if any, of the votes so cast at any of the times and places aforesaid were fraudulent or illegal, and that said committee have power to send for persons and papers;

It was determined in the negative, { Yeas 22
Nays 28

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Crittenden, Davis, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell, Toombs, Wright, Yulee.

The motion by Mr. Bigler, to refer the message to the Committee on Territories, was then agreed to.

A motion was made by Mr. Douglas to consider the resolution submitted by him the 4th instant; and,

On motion by Mr. Mason, that the Senate adjourn,

It was determined in the affirmative, { Yeas 27
Nays 22

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Crittenden, Davis, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Whereupon the Senate adjourned.

TUESDAY, FEBRUARY 9, 1858.

The Vice President laid before the Senate a resolution of the legislature of the State of Tennessee, instructing the senators and requesting the representatives of that State in Congress to aid in the passage of a bill granting pensions to the soldiers of the war of 1812 and of the various Indian wars; which was read.

Ordered, That it be referred to the Committee on Pensions and be printed.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, statements showing the number and tonnage of government vessels employed in the Pacific ocean; also, of the private vessels employed by the government in transporting coal or other supplies for the United States, and the annual expense thereof; which was read.

Ordered, That it lie on the table.

On motion by Mr. Polk, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Davis presented the petition of Jeremiah Y. Dashiell, a paymaster in the army, praying that he may be released from responsibility for certain public money lost in the surf while being landed at the mouth of Indian river, in Florida; which was referred to the Committee on Military Affairs and the Militia.

Mr. Foot presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots of limited size, for the free and exclusive use of settlers not possessed of other lands.

Ordered, That it lie on the table.

Mr. Seward presented a petition of the corporation of Georgetown, District of Columbia, remonstrating against the passage of the bill to restrict the issue and circulation of bank notes in the District of Columbia.

Ordered, That it lie on the table.

On motion by Mr. Seward that the petition be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Harlan presented a memorial and resolution of the legislature of Iowa, praying that the State may be indemnified for expenses incurred in raising troops to protect the people of Iowa from a hostile invasion of the Sioux Indians in March, 1857; which were referred to the Committee on Claims and ordered to be printed.

Mr. Harlan presented a resolution of the legislature of Iowa, in favor of granting bounty land to the volunteers in the Spirit lake expedition, in March, 1857; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Chandler presented a memorial of the regents of the University of Michigan, praying a donation of land; which was referred to the Committee on Public Lands.

Mr. Broderick presented a memorial of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers not possessed of other lands; which was referred to the Committee on Public Lands.

Mr. Johnson, of Tennessee, presented three petitions of citizens of Wisconsin, two petitions of citizens of Connecticut, and a petition of citizens of Kentucky, praying that the public lands may cease to be considered as a source of public revenue, and that they hereafter be subject to entry by actual settlers and cultivators only.

Ordered, That they lie on the table.

On motion by Mr. Mallory,

Ordered, That the petition of William Marvin, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Brown presented the petition of James Hendebert, praying the reimbursement of money advanced to Captain Hudry, while engaged in the prosecution of his claims against the United States before Congress; which was referred to the Committee on Claims.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Thomas Johnson, submitted an adverse report, (No. 59;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Mary D. Hays and B. S. Fassett, submitted an adverse report.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred a memorial of heirs of revolutionary officers of the continental line, submitted an adverse report.

Mr. Durkee, from the Committee on Private Land Claims, to whom was referred the petition of the heirs of Jehu Underwood, submitted a report, (No. 56,) accompanied by a bill (S. 129) to provide for the final settlement of the land claim of the heirs of Jehu Underwood in Florida.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred the resolution to print five thousand copies of the tables of receipts and expenditures of the government from March 4, 1789, to June 30, 1857, reported in favor of printing the same; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred the motion to print the report of the Secretary of the Senate showing the payments from the contingent fund of the Senate during the year ending December 6, 1857, reported in favor of printing the same; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred the motion to print the report of the Secretary of War showing the number of troops stationed in Kansas each quarter since January 1, 1855, reported in favor of printing the same; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred the motion to print the report of the Secretary of War showing the amount expended for the support of the Military Academy during the past year, reported in favor of printing the same; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred the motion to print the report of the Secretary of War communicating the report of the commission on the war claims of Oregon and Washington Territories, reported in favor of printing the same; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Printing, to whom was referred the motion to print the report of the Secretary of the Treasury communicating the amount of revenue collected in each collection district for each of the years 1852 to 1857, inclusive, the amount expended and the number of persons employed in its collection during those years, reported in favor of printing the same; and

The report was agreed to.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Jennett H. McCall, submitted a report, (No. 57,) accompanied by a bill (S. 130) for the relief of Jennett H. McCall.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred the petition of Samuel V. Niles, submitted a report, (No. 58,) accompanied by a bill (S. 131) for the relief of Samuel V. Niles.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Douglas, from the Committee on Foreign Relations, to whom was referred so much of the annual message of the President as relates to our relations with foreign powers, submitted a report, (No. 60,) relative to the difficulties between the United States and the republic of Paraguay, accompanied by the following resolution:

Resolved, That, for the purpose of adjusting the differences between

the United States and the republic of Paraguay, in connexion with the attack on the United States steamer *Water Witch*, and with other matters referred to in the annual message of the President, he be, and hereby is, authorized to adopt such measures and use such force as in his judgment may be necessary and advisable in the event of a refusal of just satisfaction by the government of Paraguay.

On motion by Mr. Douglas,

Ordered, That the report be printed.

The Vice President having announced the special order of the day, at half-past 12 o'clock,

On motion,

Leave was given to Mr. Cameron to make a report.

Mr. Cameron, from the Committee on Printing, to whom was referred a resolution to print fifteen hundred additional copies of the report of the Committee on Foreign Relations (Senate report No. 20) on the message of the President in relation to the arrest of William Walker, reported in favor of printing the same; and

The report was agreed to.

On motion by Mr. Douglas, that the prior special orders be postponed, and that the Senate proceed to the consideration of the resolution submitted by him the 4th instant, calling for information in relation to the elections in Kansas,

It was determined in the negative, { Yeas..... 23
Nays 30

On motion by Mr. Douglas,

The yeas and nays being desired by one fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Crittenden, Davis, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Toombs, Yulee.

At the hour of one o'clock the Vice President announced the special order of the day, viz, the motion by Mr. Douglas, to refer so much of the message of the President of the United States as relates to Kansas to the Committee on Territories; and

On motion by Mr. Davis,

Ordered, That the further consideration thereof be postponed for the purpose of considering the bill (S. 79) to increase the military establishment of the United States.

So

The Senate resumed, as in Committee of the Whole, the bill (S. 79) last mentioned; and

After debate,

On motion by Mr. Seward,

The Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in pursuance of law, lists of clerks and other persons employed in that department, other than officers of the army, during the year 1857; which was read.

Ordered, That it lie on the table.

On motion by Mr. Stuart, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in pursuance of law, statements showing the contracts made under the authority of the War Department during the year 1857; which was read.

Ordered, That it lie on the table.

On motion by Mr. Stuart, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with the resolutions of the Senate of the 4th, 5th, and 26th of January, the annual report of Lieutenant Colonel J. D. Graham for the year 1857, in relation to lake harbor improvements; which was read.

Ordered, That it lie on the table.

On motion by Mr. Stuart, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Bigler presented a memorial of citizens of Pennsylvania, praying an alteration in the present system of the appointment of chaplains in the army and navy, and an increase of the number of chaplains in those branches of the public service; which was referred to the Committee on Naval Affairs.

Mr. Hamlin presented a petition of A. Waterhouse and others, heirs of persons in whose names bounty land warrants have been issued after their death, praying the enactment of a law to make that class of land warrants available by or through their administrators; which was referred to the Committee on Public Lands.

Mr. Doolittle presented a memorial of the register and receiver of the land office at Superior, Wisconsin, praying that the compensation of registers and receivers may be increased; which was referred to the Committee on Public Lands.

Mr. Harlan presented the credentials of the honorable James W. Grimes, chosen a senator by the legislature of Iowa for the term of six years from the fourth day of March, 1859; which were read.

Mr. Johnson, of Tennessee, presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers only.

Ordered, That it lie on the table.

Mr. King presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers only; which was referred to the Committee on Public Lands.

Mr. Johnson, of Tennessee, presented thirty-six petitions of citizens

of Luzerne county, Pennsylvania, praying that all entries of public lands may be confined to actual settlers, and to them only in limited quantities.

Ordered, That they lie on the table.

On motion by Mr. Foster,

Ordered, That the petition of N. C. Haywood, on the files of the Senate, be referred to the Committee on Patents and the Patent Office.

Mr. Wilson presented a petition of journeymen goldbeaters, of Boston, praying an increase of the duty on goldleaf; which was referred to the Committee on Finance.

On motion by Mr. Kennedy,

Ordered, That the heirs of John Ireland have leave to withdraw their petition and papers.

On motion by Mr. Hale,

Ordered, That leave be granted to withdraw the petition and papers of the representatives of George Townley and John Denman.

Mr. Foot submitted the following motion for consideration :

Ordered, That the Committee on the Library consider and report a plan for the admission and accommodation of reporters in the eastern gallery, other than the reporters for the Congressional Globe.

Mr. Gwin submitted the following resolution for consideration :

Resolved, That the Secretary of War furnish the Senate a copy of the Military Topographical Memoir report, and maps of the military department of the Pacific, by Captain T. J. Cram, of the corps of topographical engineers.

Mr. Gwin submitted the following resolution for consideration :

Resolved, That the Committee on Finance be instructed to inquire into the expediency of reporting a bill to increase the facilities for refining gold for coinage in the branch mint at San Francisco.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed a bill (H. R. 152) to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas ; in which it requests the concurrence of the Senate.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of Edward D. Reynolds, submitted a report, (No. 61,) accompanied by a bill (S. 132) for the relief of Edward D. Reynolds.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones reported from the committee that they yesterday presented to the President of the United States the following enrolled bills :

H. R. 22. An act to alter the time of holding the courts of the United States for the State of South Carolina ;

H. R. 3. An act making appropriations for the payment of invalid and other pensions of the United States for the year ending the 30th June, 1859.

Mr. Douglas moved that the Senate proceed to the consideration of

the resolutions submitted by him the 4th instant; and, while addressing the Senate on the subject, the hour arrived for the consideration of a special order of the day.

Mr. Douglas thereupon moved that the special order of the day be postponed for the purpose of considering the resolutions he had submitted, and was proceeding in remarks on the subject of his motion, when.

Mr. Davis raised a question of order.

The Vice President decided that the remarks of the senator from Illinois appearing to be directed to the merits of the resolutions, rather than to the question of priority of business, were not in order.

On the question to agree to the motion by Mr. Douglas, to postpone the special order of the day for the purpose of considering the resolutions submitted the 4th instant,

It was determined in the negative,	{	Yeas.....	23
		Nays.....	24

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Biggs, Bigler, Bright, Crittenden, Davis, Evans, Fitzpatrick, Gwin, Hammond, Houston, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Toombs, Wright.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States; and,

After debate, and the consideration of executive business, by unanimous consent,

The Senate adjourned.

THURSDAY, FEBRUARY, 11, 1858.

The bill (H. R. 152) to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas, was read the first and second times, by unanimous consent, and referred to the Committee on Territories.

Mr. Seward presented the petition of William P. Paff, proposing to raise a rifle regiment for the service of the United States to aid in quelling the disturbances in the Territory of Utah; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Seward,

Ordered, That the papers on file in relation to the claim of Elbridge Lawton be referred to the Committee on Naval Affairs.

On motion by Mr. Biggs,

Ordered, That the memorial of John M. Hinton, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

Mr. Wright presented the petition of W. W. Bassett, late a master in the navy, praying to be allowed the difference between the pay of master and that of lieutenant for the time he acted as lieutenant; which was referred to the Committee on Naval Affairs.

Mr. Durkee presented the petition of Edson Sherwood and others, of Green Bay, Wisconsin, praying the confirmation of title to certain lands claimed by the Domestic and Foreign Missionary Society of the Protestant Episcopal church in the United States; which was referred to the Committee on Private Land Claims.

Mr. Dixon presented the petition of Harris and Morgan, late contractors for carrying the mail from New Orleans to Indianola, praying that the Postmaster General may be required by law to settle their accounts upon principles of justice and equity; which was referred to the Committee on Post Offices and Post Roads.

Mr. Chandler presented a resolution of the legislature of Michigan, in favor of appropriations for the improvement of the harbors of New Buffalo, St. Joseph, Kalamazoo, Black Lake, Grand river, Muskegon, White river, Pere Marquette, Saginaw bay, Monroe, Thunder bay, Marquette, Ontonagon, Mackinac, and Sheboygan; which was referred to the Committee on Commerce and ordered to be printed.

Mr. Chandler presented a resolution of the legislature of Michigan, in favor of an appropriation for the repair of the St. Mary's Falls ship canal; which was referred to the Committee on Commerce and ordered to be printed.

Mr. Wade presented a petition of citizens of Morrow county, Ohio, praying that the public lands may be reserved for the use of actual settlers only; which was referred to the Committee on Public Lands.

On motion by Mr. Wade,

Ordered, That the memorial of James Maccaboy, on the files of the Senate, be referred to the Committee on Claims.

Mr. Jones presented two memorials of citizens of Sioux City, Iowa, praying that a grant of land be made to aid in the construction of a railroad from the Missouri river to the western boundary of Nebraska, in the direction of the South Pass in the Rocky mountains, with a branch in the direction of Oregon and Washington Territories; which was referred to the Committee on Public Lands.

On motion by Mr. Simmons,

Ordered, That the petition of John J. De Wolfe, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Durkee,

Ordered, That John Shaw have leave to withdraw his petition and papers.

On motion by Mr. Durkee,

Ordered, That leave be granted to withdraw the petition of William B. Carrico and others, watchmen at the Washington navy yard.

On motion by Mr. Durkee,

Ordered, That William B. Draper have leave to withdraw his memorial and papers.

On motion by Mr. Iverson,

Ordered, That the memorial of Hezekiah Miller, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Wilson,

Ordered, That when the Senate adjourn it be to Monday next.

Mr. Simmons presented the memorial of Sarah A. Sarle and Elizabeth Penneger, heirs-at-law of Thomas Arnold, a revolutionary officer, praying to be allowed half-pay; which was referred to the Committee on Revolutionary Claims.

Mr. Wilson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, requested to inform the Senate what officers of the army, if any, belonging to the several regiments in service in the field or at remote or frontier stations, are now absent from duty, and the cause of such absence, in each case.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and agreed to.

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of adopting, in the navy of the United States, Blunt's patent for detaching boats from their davits in a heavy sea-way.

Mr. Mason, from the Committee on Foreign Relations, who were instructed by a resolution of the Senate to inquire into the subject, submitted a report, (No. 62,) accompanied by a joint resolution (S. 18) for the reception of the Vice Admiral Mehmed Pasha, of the Turkish navy, and to facilitate the objects of his mission in superintending the construction of a vessel-of-war in the United States.

The resolution was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Evans, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution directing payment to be made to Cornelius Wendell for printing the opinions of the judges of the Supreme Court in the Dred Scott case, reported the resolution with an amendment, and submitted a report on the subject, (No. 64;) which was ordered to be printed.

The Senate proceeded to consider the said resolution; and,

On motion by Mr. Doolittle, to amend the reported amendment by inserting:

Resolved, That, in ordering the same to be printed, this body do not intend in any manner to sanction the opinions expressed by several of the judges that Congress transcended its constitutional powers in passing the eighth section of the act for the admission of the State of Missouri, commonly called the Missouri compromise; nor in any manner to sanction the opinion that the Constitution of the United States, of its own force, carries the law of slavery into any State or Territory of the United States.

It was determined in the negative, { Yeas..... 19
Nays 33

On motion by Mr. Doolittle,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Chandler, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Clay, Davis, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

The reported amendment, having been amended on the motion of Mr. Benjamin, was agreed to.

On the question to agree to the resolution amended to read as follows:

Resolved, That there be paid, out of the contingent fund of the Senate, to Cornelius Wendell the sum of six thousand one hundred and fifty dollars as a compensation for publishing twenty thousand copies of the opinions of the judges of the Supreme Court in the case of *Dred Scott vs. J. F. A. Sanford*, the said sum to be in full for all charges incident to the said publication.

It was determined in the affirmative, { Yeas..... 33
Nays..... 12

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Cameron, Clay, Davis, Dixon, Evans, Fitch, Fitzpatrick, Foster, Green, Hale, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Doolittle, Durkee, Fessenden, Hamlin, Harlan, King, Seward, Stuart, Summer, Trumbull, Wade, Wilson.

So the resolution as amended was agreed to.

Mr. Foster asked and, by unanimous consent, obtained leave to bring in a bill (S. 133) to extend an act approved the 3d day of February, 1853, entitled "An act to continue half pay to certain widows and orphans;" which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Clay, from the Committee on Pensions, to whom was referred the petition of Jane Stoneham, submitted an adverse report, (No. 63;) which was ordered to be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States.

On the motion by Mr. Toombs to amend the bill, by striking out of the first section of the bill the following.

"That there shall be added to each of the regiments of dragoons, cavalry, infantry, and of mounted riflemen, two companies, to be organized in the same manner as the companies now composing these arms, respectively, and to receive the same pay and allowances, and

to be entitled to the same provisions and benefits in every respect, as are authorized by the existing laws; they shall be subject to the rules and articles of war, and the enlisted men are to be recruited in the same manner as other troops, with the same conditions and limitations,"

It was determined in the negative, { Yeas..... 25
Nays..... 26

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Pearce, Pugh, Simmons, Sumner, Toombs, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Biggs, Bigler, Bright, Broderick, Brown, Cameron, Clay, Davis, Evans, Fitch, Hammond, Hunter, Iverson, Jones, Mallory, Mason, Polk, Sebastian, Seward, Slidell, Stuart, Thomson, of New Jersey, Wright, Yulee.

So the proposed amendment was disagreed to.

The bill being amended, and a further amendment being proposed,
After debate,

On motion by Mr. Foster,

The Senate adjourned.

MONDAY, FEBRUARY 15, 1858.

The Vice President presented a memorial of M. Chamberton, of New Jersey, submitting a plan for the construction of a railroad from the Missouri river to the Pacific ocean; which was referred to the select committee on the Pacific railroad.

The Vice President presented a communication from F. S. Seybold, proposing to transfer to the United States, for the use of the two Houses of Congress, his invention for taking the yeas and nays, divisions, and other votes of legislative bodies, in an instant of time; which was referred to the Committee on the Library.

Mr. Seward presented a petition of the surviving children of Jerathmiel Doty, deceased, praying to be allowed arrears of pension due him as an invalid pensioner; which was referred, with the papers on file, to the Committee on Pensions.

Mr. Seward presented a petition of commissioners of emigration of the State of New York, praying such an amendment of the passenger laws as will prevent the abuse of female passengers by the officers of emigrant ships; which was referred to the Committee on Commerce.

Mr. Doolittle presented a memorial of the legislature of Wisconsin, in favor of the establishment of a mail route from Dunleith, Illinois, to Prairie du Chien, Wisconsin; which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. Fessenden presented the memorial of George M. Weston, commissioner of the State of Maine, praying the reimbursement to that State of the expenses incurred in organizing a regiment for the war with Mexico; which was referred to the Committee on Military Affairs and the Militia.

Mr. Fessenden presented additional papers in relation to the claim of Benjamin Ward; which were referred to the Committee on Public Lands.

Mr. Bright presented the memorial of Ambrose Whitlock, praying additional compensation for services as receiver of public moneys at Terre Haute and Crawfordsville, Indiana; which was referred to the Committee on Claims.

On motion by Mr. Hamlin,

Ordered, That the petition of Harrison Sargent, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Foster presented the memorial of Nathaniel Hayward, praying an extension of his patent for an improvement in the manufacture of India rubber goods; which was referred to the Committee on Patents and the Patent Office.

Mr. Stuart presented a resolution of the legislature of Michigan, in favor of a grant of land for the endowment of the Michigan Agricultural College; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Stuart presented a resolution of the legislature of Michigan, in relation to a northern Pacific railroad.

Ordered, That it lie on the table and be printed.

Mr. Stuart presented a communication from C. J. Fox, United States consul at Aspinwall, asking an increase of his salary; which was referred to the Committee on Commerce.

Mr. Houston presented a resolution of the legislature of Texas, instructing the senators and requesting the representatives of that State in Congress, to use their exertions to have all the charges against John C. Watrous, judge of the United States district court for the eastern district of Texas, investigated by Congress during the present session; which was read.

Ordered, That it lie on the table and be printed.

Mr. Iverson presented the memorial of Thomas Rainey, praying that the Postmaster General may be authorized to contract with him for the transportation of the mails between Philadelphia and Savannah, and Para, or Maranhão, in Brazil, touching at St. Thomas, Barbadoes, and Demarara; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Polk,

Ordered, That the petition of Richard G. Dove, on the files of the Senate, be referred to the Committee on Claims.

Mr. Jones presented the petition of James W. Rea, administrator of James H. Mattocks, deceased, praying compensation for the property of said Mattocks destroyed by the Indians; which was referred to the Committee on Public Lands.

Mr. Toombs presented a memorial of citizens of Georgia, praying that they may be secured in the quiet enjoyment of lands in their

possession, which are claimed by certain Cherokee Indians; which was referred to the Committee on Indian Affairs.

Mr. Durkee presented the petition of Daniel Whitney, praying the confirmation of his claim to a certain tract of land at Green Bay, Wisconsin; which was referred to the Committee on Private Land Claims.

Mr. Johnson, of Tennessee, presented the memorial of Walter James, praying compensation for a horse lost while employed in transporting baggage and munitions of war in the last war with Great Britain; which was referred to the Committee on Claims.

Mr. Johnson, of Tennessee, presented three petitions of citizens of Lee county, Iowa, and two petitions of citizens of Wisconsin, praying that the public lands may cease to be considered a source of public revenue, and that all entries of them may be confined to actual settlers.

Ordered, That they lie on the table.

Mr. Wilson submitted the following resolution for consideration:

Resolved, That the President of the United States be requested to communicate to the Senate, if not incompatible with the public interest, the instructions given to the honorable Richard K. Meade, United States minister to Brazil, previous to his departure from the United States.

Mr. Cameron, from the Committee on Printing, to whom was referred a motion to print the message of the President of the United States, on the subject of contracts made in Europe for inland passage tickets for intending emigrants to the United States, reported, that the usual number of the message and accompanying documents be printed; and

The report was agreed to.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the memorial of J. E. Martin, submitted a report, (No. 65,) accompanied by a bill (S. 134) for the relief of the legal representatives of J. E. Martin.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H. R. 81) to amend an act for the relief of Whitemarsh B. Seabrook and others, and that it be referred to the Committee on Military Affairs and the Militia.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the petition of William Y. Hansell, William H. Underwood, and Samuel T. Beecher, submitted a report, (No. 66,) accompanied by a bill (S. 135) for the relief of W. Y. Hansell, W. H. Underwood, and the representatives of Samuel Rockwell.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr Sebastian, from the Committee on Indian Affairs, to whom was referred the petition of James M. Hand, submitted a report, (No. 67,) accompanied by a bill (S. 136) for the relief of the heirs of John B. Hand.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred the petition of William Nason and others, submitted a report, (No. 68,) accompanied by a bill (S. 137) for the relief of the heirs-at-law of the late Abigail Nason, sister and devisee of John Lord, deceased.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 138) further to provide for the safety of passengers on steam vessels; which was read the first and second times, by unanimous consent, referred to the Committee on Commerce, and ordered to be printed.

The Senate proceeded to consider the resolution submitted by Mr. Gwin, the 10th instant, in relation to increased facilities for refining gold coinage in the branch mint at San Francisco, and

The resolution was agreed to.

The Senate proceeded to consider the resolution submitted by Mr. Gwin, 10th instant, for a copy of the memoir, report, and maps of the military department of the Pacific, by Captain T. J. Cram, and

The resolution was agreed to.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed a joint resolution (H. R. 12) making an appropriation for the payment of expenses of investigating committees of the House of Representatives, in which it requests the concurrence of the Senate.

The joint resolution (H. R. 12) last mentioned was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said resolution was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed the consideration of the resolution reported by the Committee on the Judiciary, to whom were referred the credentials of the honorable Graham N. Fitch, and the honorable Jesse D. Bright, and the protest against their election as senators in Congress from the State of Indiana; and

The amendment proposed by Mr. Trumbull being under consideration,

After debate,

On motion by Mr. Hunter,

Ordered, That the further consideration of the resolution be postponed until to-morrow at one o'clock.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, FEBRUARY 16, 1858.

The Vice President laid before the Senate a report of the Secretary of State, communicating, in pursuance of law, statements showing the number and designation of passengers arriving in the United States on shipboard during the year 1857 ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Stuart, that the report be printed.

Ordered, That it be referred to the Committee on Printing.

Mr. Stuart presented the memorial of Anthony Caslo, otherwise called Castle, a soldier in the last war with Great Britain, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Iverson presented the petition of Samuel H. Taylor, praying additional compensation as messenger and laborer in the office of the Third Auditor ; which was referred to the Committee on Claims.

On motion by Mr. Yulee,

Ordered, That the memorial of William F Russell, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Yulee,

Ordered, That the papers on the files of the Senate relating to the claim of Captain George E. McClelland's company of Florida volunteers, be referred to the Committee on Military Affairs and the Militia.

Mr. Houston presented a resolution of the legislature of Texas, in favor of the adoption of more efficient measures for protecting the citizens of that State against Indian depredations, and indemnifying them for property stolen or destroyed ; which was referred to the Committee on Indian Affairs.

Mr. Houston presented a petition of citizens of Columbus, Texas, praying the establishment of a mail route from that place to George Waldman's, in that State ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Houston presented a resolution of the legislature of Texas, in favor of a mail route from Marshal, Harrison county, to Dallas, in Dallas county, in that State ; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Hunter,

Ordered, That the petition of Edward N. Kent, on the files of the Senate, be referred to the Committee on Finance.

Mr. Houston presented a petition of citizens of New York, praying the adoption of measures for the preservation and elevation of the American Indians ; which was referred to the Committee on Indian Affairs.

Mr. Bright presented the petition of Martin Layman, praying permission to enter a quarter section of land on which he has settled and made improvements, in Minnesota, before the surveys of the government lands in that Territory ; which was referred to the Committee on Public Lands.

Mr. Durkee presented a petition of inhabitants of Madison, Wisconsin, praying the adoption of measures for extinguishing slavery.

Ordered, That it lie on the table.

Mr. Thomson, of New Jersey, presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers; which was referred to the Committee on Public Lands.

Mr. Brown presented a memorial of the register and receiver of the land office at Washington, Mississippi, praying that the compensation of land officers may be increased; which was referred to the Committee on Public Lands.

Mr. Brown presented the petition of Thomas Laurent, surviving partner of Benjamin and Thomas Laurent, praying that certain moneys belonging to that firm, and taken by General Scott as property of the government of Mexico during the Mexican war, may be refunded; which was referred to the Committee on Military Affairs and the Militia.

Mr. Mallory presented a presentment of the grand jury of the United States court for the northern district of Florida, showing the necessity of a building for the accommodation of the federal courts in that district; which was referred to the Committee on the Judiciary.

Mr. Houston submitted the following resolution for consideration:

Whereas the events connected with the numerous efforts of the people of Mexico and Central America of this continent to establish and maintain order and good government, since their separation from the mother country, have so far resulted in failure and consequent anarchy, and demonstrated to the world the inability of said people to effect an object alike so desirable and so indispensable to their welfare and prosperity: Therefore,

Resolved, That the Committee on Foreign Relations be instructed to inquire into and report to the Senate upon the expediency of the government of the United States declaring and maintaining an efficient protectorate over the States of Mexico, Nicaragua, Costa Rica, Guatemala, Honduras, and San Salvador, in such form and to such an extent as shall be necessary to secure to the people of said States the blessings of good and stable republican government.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire if the transmission of the mail between Washington City and Boston cannot be so expedited as to prevent its detention in New York twelve hours or more each night.

Mr. Yulee asked and, by unanimous consent, obtained leave to bring in a bill (S. 139) amendatory of the act entitled "An act in addition to certain acts granting bounty lands to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the memorial of G. W. Lippitt, submitted a report,

(No. 70,) accompanied by a bill (S. 140) for the relief of George W. Lippitt.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Thomson, of New Jersey, asked and, by unanimous consent, obtained leave to bring in a bill (S. 141) to establish a port of entry at Tom's river, New Jersey; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Hannah Stroop, reported a bill (S. 142) for the relief of Hannah Stroop, widow of John Stroop, deceased; which was read and passed to a second reading.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom the subject was referred, reported a bill (S. 143) to create the office of Fourth Assistant Postmaster General; which was read and passed to a second reading.

Mr. Polk, from the Committee on Foreign Relations, to whom was referred the memorial of Charles G. Ridgely, submitted a report, (No. 71,) accompanied by a bill (S. 144) for the relief of Captain Charles G. Ridgely, United States navy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Major J. L. Donaldson, submitted a report, (No. 72,) accompanied by a bill (S. 145) for the relief of Brevet Major James L. Donaldson, assistant quartermaster United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Chandler asked and, by unanimous consent, obtained leave to bring in a bill (S. 146) making an appropriation for deepening the channel of the St. Mary's river, in the State of Michigan; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Chandler asked and, by unanimous consent, obtained leave to bring in a bill (S. 147) making an appropriation for deepening the channel over the St. Clair flats, in the State of Michigan; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of James Suddards, submitted a report, (No. 73,) accompanied by a bill (S. 148) for the relief of James Suddards.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of George H. Howell, submitted a report, (No. 74,) accompanied by a bill (S. 149) for the relief of George H. Howell.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay asked and, by unanimous consent, obtained leave to bring

in a bill (S. 150) regulating the payments to invalid pensioners; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Clay, from the Committee on Pensions, to whom was referred the memorial of Jane Baker, submitted an adverse report, (No. 69;) which was ordered to be printed.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President of the United States in relation to the Sound dues, communicated to the Senate the 19th of January, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Treasury in relation to the printing of Congress, communicated the 2d February, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Interior in relation to lands which will enure to the Territory of Minnesota for railroad purposes under the act of March 3, 1857, communicated the 26th January, reported adversely thereon; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War in relation to appropriations applicable to the War Department for the fiscal year ending June 30, 1857, the amount drawn and balances remaining July 1, 1857, and the amounts carried to the surplus fund, communicated January 26, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the petition of citizens of Georgetown, presented the 8th instant, reported adversely thereon.

On motion by Mr. Slidell,

Ordered, That the said petition be referred to the select committee appointed on the subject of banks in the District of Columbia.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution calling for information as to the amount paid annually for printing during the last five years, reported.

The senate proceeded to consider the report, when, the hour of half-past 12 having arrived, the Vice President announced the special order of the day.

Mr. Stuart submitted a question of order, whether a subject made the special order of the day for half-past 12 o'clock, or for any other hour, for a particular day, and, not during that day, finally acted on, did not, on any future day, become a special order for the hour of one o'clock, unless the Senate should specifically determine otherwise?

The Vice President thereupon took the sense of the Senate on the subject; and the Senate decided—

That the special orders which have been, or shall be, assigned for an earlier or later hour than one o'clock, for a particular day, shall, if not acted upon or completed on that day, be taken up or called on any future day, under the thirty-first rule, at the hour of one o'clock, unless otherwise determined by the Senate.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the memorial of Henry S. Crabbe, and that it be referred to the Committee on Naval Affairs.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Richard E. Randolph, and that it be referred to the Committee on Public Lands.

On motion by Mr. Green, Mr. Fitzpatrick was excused, during his indisposition, from serving as a member of the Committee on Territories.

On motion by Mr. Green,

Ordered, That a member be appointed, temporarily, to fill the vacancy in the Committee on Territories, and that the appointment be made by the Vice President; and

Mr. Clay was appointed.

The joint resolution (S. 18) for the reception of Vice Admiral Mehmed Pasha, of the Turkish navy, and to facilitate the objects of his mission in superintending the construction of a vessel-of-war in the United States, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

On the question, Shall the resolution pass?

It was determined in the affirmative,	{ Yeas	31
	{ Nays	19

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bigler, Bright, Broderick, Brown, Cameron, Clark, Dixon, Doolittle, Durkee, Evans, Foot, Foster, Gwin, Hale, Hamlin, Hammond, Harlan, Houston, Kennedy, Mallory, Mason, Polk, Seward, Simmons, Slidell, Stuart, Sumner, Thomson, of New Jersey, Wilson, Wright.

Those who voted in the negative are,

Messrs. Biggs, Chandler, Clay, Collamer, Fessenden, Fitch, Green, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Pugh, Sebastian, Thompson, of Kentucky, Toombs, Trumbull, Wade, Yulee.

So it was

Resolved, That the resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Yulee presented the memorial of Smallwood, Earle and Company, praying to be allowed the amount of a fine illegally imposed on them and paid to the collector of the customs at New York; which was referred to the Committee on Finance.

Mr. Cameron presented additional papers in relation to the claim of the heirs of Dorothy Wirt, widow of Philip Wirt; which were referred to the Committee on Pensions.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the joint resolution (H. R. 12) making an appropriation for the payment of expenses of investigating committees of the House of Representatives.

A message from the House of Representatives by Mr. Barclay:

Mr. President: The Speaker of the House of Representatives having signed an enrolled joint resolution, (H. R. 12,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled joint resolution, (H. R. 12) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the resolution reported by the Committee on the Judiciary, in the case of the contested election of the Honorable Graham N. Fitch and the Honorable Jesse D. Bright, and

On the question to agree to the following amendment, proposed by Mr. Trumbull:

Strike out all after the word "resolved" and insert:

That the Senate will now proceed to a final determination of the right to seats in this body of Graham N. Fitch and Jesse D. Bright, claiming to have been elected senators by the legislature of Indiana;

It was determined in the negative, { Yeas 16
Nays 28

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foster, Hamlin, Harlan, King, Seward, Simmons, Sumner, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Biggs, Bigler, Broderick, Brown, Cameron, Clay, Evans, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Seward,

To amend the resolution by adding thereto the following:

Provided, That the proofs to be taken shall be limited to the swearing in of the members of the legislature of Indiana, the organization of the said legislature, and the proceedings thereof, connected with the election of the sitting members for said State in the Senate of the United States, and shall be returned to the Senate of the United States within sixty days from the passage of this resolution.

A division was called for by Mr. Hale; and, the question being taken on the first clause, relating to the proofs to be taken,

It was determined in the negative, { Yeas 19
Nays 25

On motion by Mr. Mallory,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foster, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Biggs, Bigler, Brown, Clay, Evans, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thompson, of Kentucky, Toombs, Yulee.

On the question to agree to the second clause, as follows: "*And shall be returned to the Senate of the United States within sixty days from the passage of this resolution.*"

A motion was made by Mr. Pugh to amend the same by striking out the word "sixty" and inserting "*ninety*;" and

It was determined in the affirmative, { Yeas 27
Nays 18

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Biggs, Bigler, Broderick, Brown, Clay, Evans, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foster, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Thompson, of Kentucky, Trumbull, Wade.

On motion by Mr. Toombs to amend the amendment by adding thereto:

And provided, That no testimony shall be taken under this resolution in relation to the qualification, election, or return of any member of the Indiana legislature.

It was determined in the affirmative.

The amendment as amended was then agreed to.

On motion by Mr. Wilson, further to amend the resolution, by striking out the words "any judge of the district court of the United States or any judge of the supreme or circuit courts of the State of Indiana," and inserting:

The honorable Oliver H. Smith, the honorable John Pettit, and the honorable John Defries, who are hereby appointed commissioners for that purpose.

It was determined in the negative.

On motion by Mr. Fessenden to amend the resolution, by striking

out the words "the supreme or circuit courts," and inserting: "*any court of record.*"

It was determined in the negative.

The resolution as amended, was then agreed to as follows:

Resolved, That in the case of the contested election of the honorable Graham N. Fitch, and the honorable Jesse D. Bright, senators returned and admitted to their seats from the State of Indiana, the sitting members, and all persons protesting against their election, or any of them, by themselves or their agents or attorneys, be permitted to take testimony on the allegations of the protestants and the sitting members, touching all matters of fact therein contained, before any judge of the district court of the United States, or any judge of the supreme or circuit courts of the State of Indiana, by first giving ten days' notice of the time and place of such proceeding in some public gazette printed at Indianapolis: *Provided*, That the proofs to be taken shall be returned to the Senate of the United States within ninety days from the passage of this resolution: *And provided*, That no testimony shall be taken under this resolution in relation to the qualification, election, or return of any member of the Indiana legislature.

The Senate resumed the consideration of the motion of Mr. Douglas, to refer so much of the annual message of the President as relates to Kansas to the Committee on Territories; and

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Stuart, to postpone all the special orders until to-morrow at one o'clock.

It was determined in the affirmative; and

On motion by Mr. Stuart,

The Senate resumed the consideration of the resolution reported on by the Committee on Printing, in relation to the amount paid annually for printing and advertising during the last five years; and having been amended on the motion of Mr. Stuart, it was agreed to, as follows:

Resolved, That the Secretary of the Treasury be instructed to inquire and report to the Senate what amount has been paid, annually, during the last five years, to each of the printing establishments in the city of Washington for printing and advertising of any kind for the United States other than that ordered by either House of Congress, whether done by the direction of any department or civil or military officer thereof; also, whether the same has been paid under the provisions of existing law; and whether any amendments of existing laws are necessary in order to secure proper economy in the printing expenditures of the government.

On motion by Mr. Iverson,

That the Senate reconsider the vote postponing the further consideration of the bill (S. 79) to increase the military establishment of the United States, until to-morrow.

It was determined in the affirmative; and

On motion by Mr. Iverson,

The Senate resumed, as in Committee of the Whole, the consideration of the said bill; and

Mr. Stuart having withdrawn the amendment proposed by him,
An amendment was proposed by Mr. Wilson ; and
On motion by Mr. Pugh, to amend the proposed amendment ;
After debate, and the consideration of executive business,
The Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in pursuance of law, a statement of the expenditures, during the year 1857, from the appropriation for the contingent expenses of the military establishment ; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The Vice President presented a petition of the mayor and council of the city of Omaha, Nebraska Territory, praying the reimbursement of money expended by them upon the capitol building of that Territory ; which was referred to the Committee on Territories.

Mr. Evans presented the petition of Margaret McGuire, praying a continuance of her pension ; which was referred to the Committee on Pensions.

Mr. Wilson presented a petition of citizens of New York, praying that the public lands may be laid off in farms or lots for the free and exclusive use of actual settlers.

Ordered, That it lie on the table.

Mr. Wright presented a petition of citizens of New York and New Jersey, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers ; which was referred to the Committee on Public Lands.

Mr. Wade presented a petition of L. Lyens and others, citizens of the United States, praying that land may be granted, in quarter sections, to actual settlers in the proposed Territory of Arizona ; which was referred to the Committee on Public Lands.

Mr. Pearce presented additional evidence in support of the claim of Charles West to a pension ; which was referred, with his petition and papers on file, to the Committee on Pensions.

On motion by Mr. Bigler,

Ordered, That the petition of John Grayson, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Houston,

Ordered, That the petition of Joseph Nock, on the files of the Senate, be referred to the Committee on Patents and the Patent Office.

Mr. Slidell presented the petition of Marie Genand, sole heir of John Hudry, deceased, praying the reimbursement of money advanced and expended in 1814 and 1815, by said Hudry, during the defence of New Orleans ; which was referred, with the papers on file, to the Committee on Military Affairs and the Militia.

Mr. Chandler presented a resolution of the legislature of Michigan, instructing the senators and requesting the representatives of that

State in Congress to use all proper means to prevent the further extension of slavery in the Territories of the United States, or the admission of any more slave States into the Union, and to oppose the admission of Kansas into the Union as a State under the Lecompton constitution or any constitution maintaining slavery therein.

Ordered, That it lie on the table and be printed.

Mr. Jones presented five petitions of citizens of Iowa, praying a grant of land to the McGregor, St. Peters, and Missouri River Railroad Company; which was referred to the Committee on Public Lands.

Mr. Wade presented a petition of citizens of Hopkinsville, Ohio, praying that the policy of the United States in respect to the public domain may be so changed as to secure the public lands to the use of actual settlers only; which was referred to the Committee on Public Lands.

Mr. Foster submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested, if not incompatible with the public interest, to cause to be furnished to the Senate all the correspondence, papers, and documents on file in the Department of State, in original or copy, in the case of Philo S. Shelton, and Sampson and Tappan, respecting "Shelton's" or "Aves" Island, not heretofore furnished by said department to the Senate.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of R. S. Hamilton and J. E. L. Hamilton, heirs of Persis Locke, widow of Josiah Locke, submitted an adverse report.

Mr. Mallory from the Committee on Naval Affairs, to whom was referred the petition of Robert Morris, submitted an adverse report.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the memorial of the National Institution for the Promotion of Science at Washington city, submitted an adverse report, (No. 79,) which was ordered to be printed.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred a memorial of the Provident Association of Clerks, reported a bill (S. 151) further to amend the act entitled "An act to incorporate the Provident Association of Clerks in the civil departments of the government of the United States in the District of Columbia;" which was read and passed to a second reading.

Mr. Pearce asked and, by unanimous consent, obtained leave to bring in a bill (S. 152) to incorporate the Washington National Monument Society; which was read the first and second times, by unanimous consent, and referred, with the memorial on file, to the Committee on the District of Columbia.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Joshua D. Todd, submitted a report, (No. 75,) accompanied by a bill (S. 153) for the relief of Lieutenant Joshua D. Todd, United States navy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of William F. Carrington, submitted a report, (No. 76,) accompanied by a bill (S. 154) for the relief of William F. Carrington, passed assistant surgeon in the navy of the United States.

The bill was read and passed to a second reading

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Robert Carter, submitted a report, (No. 77,) accompanied by a bill (S. 155) for the relief of Robert Carter, passed assistant surgeon in the navy of the United States.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Polk, from the Committee on Claims, to whom was referred the memorial of Joshua Shaw, submitted a report, (No. 78,) accompanied by a bill (S. 156) for the relief of Joshua Shaw, of Bordentown, New Jersey.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Polk asked and, by unanimous consent, obtained leave to bring in a bill (S. 157) to provide for the payment to the State of Missouri of two per centum of the net proceeds of the sales of public lands therein, heretofore reserved under a compact with said State; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

The Senate proceeded to consider the resolution submitted by Mr. Houston the 16th instant, in relation to the establishment of a Protectorate by the United States over the republics of Mexico and Central America; and an amendment being proposed by Mr. Hale,

On motion by Mr. Hunter,

Ordered, That the resolution lie on the table.

Mr. Jones reported from the committee that they, this day, presented to the President of the United States the enrolled resolution (H. R. 12) making an appropriation for the payment of expenses of investigating committees of the House of Representatives.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States; and

After debate,

On motion by Mr. Hamlin,

The Senate adjourned.

THURSDAY, FEBRUARY 18, 1858.

The Vice President laid before the Senate a letter of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, the papers of Richard Fitch, of Ohio, respecting his application for bounty land; which was read.

Ordered, That it be referred to the Committee on Public Lands.

Mr. Seward presented the petition of Henry Abram, praying that a grant of public land may be made to the State of Virginia equal in

amount to the northwestern territory ceded by that State to the United States; said land to be sold to actual settlers, and the proceeds to be applied to the purchase of the young slaves and their emigration beyond the United States.

Ordered, That it lie on the table.

Mr. Thompson, of Kentucky, presented a resolution of the legislature of Kentucky, in relation to pensions to the soldiers of the revolutionary war and of the war of 1812; which was referred to the Committee on Pensions, and ordered to be printed.

Mr. Thompson, of Kentucky, presented a petition of soldiers of the war of 1812, and widows of some of those who have died, praying to be allowed pensions; which was referred to the Committee on Pensions.

Mr. Gwin presented the petition of Frank Madison, a colored man who served as a waiter to Major Lee, of the army, in the Seminole war, in Florida, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Hammond presented a petition of the president and stockholders of the Florida Steam Packet Company, praying compensation for the seizure and detention of the steamer Carolina by the collector of the port of Jacksonville, in May, 1857; which was referred to the Committee on Commerce.

Mr. Harlan presented a petition of William F. Coolbaugh and others, citizens of Burlington, Iowa, praying a grant of land to aid in the construction of railroads westward through the Territory of Nebraska, so as to connect with the roads now located to the eastern boundary of said Territory; which was referred to the Committee on Public Lands.

Mr. Thomson, of New Jersey, presented a petition of citizens of Burlington, New Jersey, praying the adoption of measures for the peaceful and gradual extinction of slavery.

Ordered, That it lie on the table.

Mr. Bigler presented a resolution adopted at a meeting of the German Central Agitation Club of Pennsylvania in favor of the passage of the "homestead bill" now before the Senate.

Ordered, That it lie on the table.

Mr. Sebastian presented the petition of Thomas Halenan, praying indemnity for damages sustained in consequence of a change in the grade of New Jersey avenue, in the city of Washington; which was referred to the Committee on the District of Columbia.

On motion by Mr. Foot,

Ordered, That the message of the President of the United States, communicating the decree and regulations for consular courts of the United States in China, be referred to the Committee on the Judiciary.

Mr. Wilson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to inform the Senate whether any officers in the civil service of the United States in the Territory of Kansas are absent from their posts in said Territory, and if so, the reasons therefor.

On motion by Mr. Biggs, that the vote agreeing to said resolution be reconsidered.

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Iverson submitted the following resolution for consideration :

Resolved, That for the residue of the present session, after the present week, the private bills on the calendar shall be special orders of the day on Friday of each week, at one o'clock, in the order in which they stand upon the calendar.

The Senate proceeded to consider the said resolution, and

On motion by Mr. Mason,

Ordered, That it lie on the table.

Mr. Wilson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President of the United States be requested, if not incompatible with the public interest, to cause to be furnished to the Senate, with the papers, correspondence, &c., called for by the resolution of the Senate of the 17th instant, in the case of Philo S. Shelton and Sampson & Tappan, all the correspondence, papers, and documents on file in the Department of State, in original or copy, relative to the cases of Lang and Delano and Wheelwright and Cobb, respecting the island of Aves, in the Carribean sea, not heretofore furnished by said department.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of Richard E. Randolph, reported the following resolution :

Resolved, That the prayer of the petitioner ought not to be granted.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of the heirs of Mary Hopper, widow of John A. Hopper, submitted an adverse report.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the memorial of John Pickell, reported the following resolution :

Resolved, That the prayer of the memorialist ought not to be granted.

Mr. Polk, from the Committee on Claims, to whom was referred the memorial of Anthony S. Robinson, heir of John H. Robinson, reported a bill (S. 158) for the relief of Anthony S. Robinson, heir and legal representative of John Hamilton Robinson ; which was read and passed to a second reading.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Thomas J. Page, submitted a report (No. 80) accompanied by a bill (S. 159) for the relief of Commander Thomas J. Page, United States navy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Thomas J. Page, submitted a report (No. 81) accompanied by a bill (S. 160) for the relief of Thomas J. Page.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Green, from the Committee on Territories, to whom was referred the message of the President of the United States, communicating the constitution of Kansas as a State, adopted by the convention assembled at Lecompton, reported a bill (S. 161) for the admission of the State of Kansas into the Union; which was read and passed to a second reading.

Mr. Green, from the Committee on Territories, also submitted a report (No. 82) on the subject; which was ordered to be printed.

Mr. Douglas submitted the views of a portion of the minority of the Committee on Territories on the affairs of Kansas; which were ordered to be printed.

Mr. Collamer submitted the views of a portion of the minority of the Committee on Territories on the affairs of Kansas; which were ordered to be printed.

On motion by Mr. Hamlin,

Ordered, That the Committee on Commerce be discharged from the further consideration of the memorial of American shipmasters in the port of Havana in Cuba.

Mr. Allen, from the Committee on Commerce, to whom was referred the bill (S. 77) to amend an act entitled "An act to limit the liability of ship owners, and for other purposes," approved March 3, 1851, reported it without amendment.

Mr. Allen submitted a communication from the Secretary of the Treasury on the subject; which was ordered to be printed.

The Senate proceeded to consider the motion submitted by Mr. Foot the 10th instant, in relation to a plan for the accommodation of reporters in the eastern gallery of the Senate; and

The motion was agreed to.

The Senate proceeded to consider the resolution submitted by Mr. Foot the 4th instant, to amend the eleventh rule of the Senate; and

On motion by Mr. Foot,

Ordered, That the resolution be referred to a select committee, consisting of three members, to be appointed by the Vice President; and

Mr. Foot, Mr. Hunter, and Mr. Stuart, were appointed the committee.

The Senate resumed, as in Committee of the Whole, the bill (S. 79) to increase the military establishment of the United States.

On motion by Mr. Chandler to amend the bill by striking out the following:

"SEC. 4. *And be it further enacted*, That hereafter regular promotions to vacancies occurring in the regimental grades of commissioned officers of the United States army shall be by regiments or corps, instead of by arms of service, as now regulated and provided in certain cases."

It was determined in the affirmative, { Yeas..... 24
Nays 23

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hale,

Houston, Hunter, Mason, Seward, Simmons, Stuart, Thomson, of New Jersey, Toombs, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Green, Hamlin, Hammond, Harlan, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thompson, of Kentucky, Wright.

The bill having been amended, and a further amendment proposed, On motion by Mr. Fessenden that the Senate adjourn,

It was determined in the negative, { Yeas 22
Nays 25

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Green, Hamlin, Harlan, Houston, King, Mason, Seward, Simmons, Stuart, Thomson, of New Jersey, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Biggs, Bigler, Bright, Brown, Clay, Crittenden, Evans, Fitch, Hale, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Pearce, Polk, Pugh, Sebastian, Slidell, Toombs, Wilson, Wright, Yulee.

On motion by Mr. Mason, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 27
Nays 16

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Chandler, Clay, Crittenden, Dixon, Douglas, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, Houston, King, Mason, Pearce, Polk, Seward, Simmons, Stuart, Thomson, of New Jersey, Toombs, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Biggs, Bigler, Bright, Broderick, Brown, Fitch Gwin, Hale, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Pugh, Sebastian, Slidell, Sumner.

Whereupon the Senate adjourned.

FRIDAY, FEBRUARY 19, 1858.

Mr. Pugh presented a petition of citizens of Ohio, praying the improvement of the harbors of Mackinaw City, at the Straits of Mackinaw, in the State of Michigan; which was referred to the Committee on Commerce.

Mr. Pugh presented two petitions of citizens of Cincinnati, Ohio, praying that a quarter section of land, in the proposed Territory of Arizona, may be granted to each actual settler, reserving to the United States the right to the minerals therein; which were referred to the Committee on Public Lands.

Mr. Pugh presented the petition of Sherlock and Shirley, con-

tractors for carrying the mail from Louisville, Kentucky, to St. Louis, Missouri, praying to be relieved from certain fines alleged to have been unjustly imposed upon them; which was referred to the Committee on Post Offices and Post Roads.

Mr. Thomson, of New Jersey, presented the memorial of Douglass Ottinger, praying compensation for the labor and expense attending his invention of an apparatus for rescuing passengers from sinking vessels in the open sea, called the life or surf-car; which was referred to the Committee on Commerce.

Mr. Thomson, of New Jersey, presented the memorial of J. and R. Kingsland, praying payment for paper for printing ordered by the thirty-third and thirty-fourth Congresses; which was referred to the Committee on Finance.

Mr. Thomson, of New Jersey, presented a petition of S. Van Sickell, J. R. Bellerjeau, and George C. Leidy, contractors for carrying the mail from New York to Philadelphia, praying an increase of their compensation; which was referred to the Committee on Post Offices and Post Roads.

Mr. Johnson, of Tennessee, presented a petition of Apollo Herold and others, citizens of the United States, praying that the public lands may cease to be considered a source of revenue, and that they be subject to entry by actual settlers and cultivators only.

Ordered, That it lie on the table.

Mr. Green presented the memorial of Joseph C. Irwin & Co., praying indemnity for losses suffered while transporting merchandise to Great Salt Lake City, in consequence of orders of Colonel Johnston, commanding the United States troops in Utah; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Hale,

Ordered, That when the Senate adjourn it be to Tuesday next.

Mr. Johnson, of Arkansas, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the claim of the contractors on route No. 7,503, from Little Rock to Washington, in Arkansas, and to report by bill or otherwise.

Mr. Johnson, of Arkansas, presented a paper relating to the claim of J. E. Peay and C. Ayliffe, contractors on mail route No. 7,503, to additional compensation; which was referred to the Committee on Post Offices and Post Roads.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of John L. Allen and A. R. Carter, submitted a report, (No. 83,) accompanied by a bill (S. 162) for the relief of John L. Allen and Asa R. Carter.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Dixon submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire whether any legislation is necessary to provide for the compensation of any district judges of the United States who may be

designated and appointed under and by virtue of the act entitled "An act to provide for holding the courts of the United States in the case of sickness or disability of the judges of the district courts," and that they report by bill or otherwise.

On motion by Mr. Wade,

Ordered, That the Senate proceed to the consideration of private bills.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 60) for the relief of Tench Tilghman, and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The following bills were severally read the second time and considered as in Committee of the Whole:

S. 67. Bill for the relief of Jonas P. Keller;

S. 68. Bill for the relief of Elias Hall, of Rutland, Vermont;

S. 69. Bill for the relief of Dr. Charles D. Maxwell, a surgeon in the United States navy;

S. 70. Bill for the relief of John Dix, of Florida;

S. 72. Bill for the relief of Daniel Whitney;

S. 74. Bill for the relief of J. Willcox Jenkins;

S. 73. Bill authorizing Mrs. Jane Smith to enter certain lands in the State of Alabama;

S. 81. Bill for the relief of Laurent Millaudon;

S. 83. Bill to vest the title to certain warrants for land in George M. Gordon;

S. 92. Bill for the relief of George A. O'Brien;

S. 94. Bill for the relief of Major Benjamin Alvord, paymaster United States army;

S. 95. Bill explanatory of an act entitled "An act for the relief of Dempsey Pittman," approved August 16, 1856;

S. 96. Bill for the relief of Susannah T. Lea, widow and administratrix of James Maglenen, late of the city of Baltimore, deceased;

S. 100. Bill releasing to the legal representatives of John McNiel the title of the United States to a certain tract of land; and

No amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read the third time, by unanimous consent.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bills.

The bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Seward,

Ordered, That it lie on the table.

The following bills were severally read the second time and considered as in Committee of the Whole:

S. 71. Bill to amend an act entitled "An act to authorize a relocation of land warrants number three, four, and five, granted by Congress to General Lafayette," approved February 26, 1845 ;

S. 78. Bill to authorize the Secretary of the Interior to issue land warrants to Joseph Chase, James Young, and Alexander Keef.

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (S. 42) to provide for the construction of a custom-house, court house, and post office in Trenton, in the State of New Jersey, reported it without amendment, and that it ought not to pass.

Mr. Clay also submitted a report (No. 87) on the subject ; which was ordered to be printed.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (S. 49) to provide for the construction of a court house, post office, and custom-house at Apalachicola, in the State of Florida, reported it without amendment, and that it ought not to pass.

Mr. Clay also submitted a report (No. 88) on the subject ; which was ordered to be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States ; and,

On motion by Mr. Iverson,

Ordered, That the further consideration thereof be postponed until Tuesday next, at one o'clock.

The following bills, reported from the Court of Claims, were severally read the second time and considered as in Committee of the Whole :

S. 87. Bill for the relief of Jane Smith, of the county of Clermont, State of Ohio ;

S. 88. Bill for the relief of Lucinda Robinson, of the county of Orleans, State of Vermont ;

S. 89. Bill for the relief of George Ashley, administrator *de bonis non* of Samuel Holgate, deceased ;

S. 90. Bill for the relief of John Ericsson ;

S. 93. Bill for the relief of Nahum Ward.

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 26) to provide for the examination and payment of certain claims of citizens of Georgia and Alabama, on account of losses sustained by depredations of the Creek Indians.

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 30) for the relief of Elizabeth Montgomery, heir of Hugh Montgomery.

On motion by Mr. Slidell,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 91) to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Clay, that the bill be referred to the Committee on Pensions,

It was determined in the negative, { Yeas.....13
Nays.....24

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Biggs, Bigler, Clay, Collamer, Evans, Fessenden, Johnson, of Tennessee, Jones, King, Pugh, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Allen, Bright, Broderick, Brown, Chandler, Crittenden, Dixon, Doolittle, Durkee, Foot, Foster, Hamlin, Harlan, Houston, Iverson, Mason, Pearce, Polk, Seward, Simmons, Slidell, Stuart, Wade, Wilson.

No amendment being made, it was reported to the Senate.

Ordered, That the bill be engrossed and read a third time.

The bill (S. 99) to amend the act to incorporate the Columbia Institution for the instruction of the deaf and dumb and blind, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative, { Yeas.....27
Nays.....10

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bright, Broderick, Brown, Chandler, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foot, Foster, Hamlin, Harlan, Houston, Jones, Kennedy, Pearce, Seward, Simmons, Stuart, Thomson, of New Jersey, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Biggs, Clay, Green, Iverson, King, Mason, Polk, Pugh, Sebastian, Slidell.

So it was

Ordered, That this bill be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That this bill pass and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 97) to incorporate the Benevolent Christian Association of Washington city, with the amendments reported thereto; and the reported amendments being agreed to, and no further amendment being proposed, it was reported to the Senate, and the amendments were concurred in.

Ordered, That this bill be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

After the consideration of executive business,
The Senate adjourned.

TUESDAY, FEBRUARY 23, 1858.

Mr. Fitch presented the petition of Jane Ranstead, widow of James Ranstead, a revolutionary soldier, praying to be allowed the pension due her under the act of 1838 ; which was referred to the Committee on Revolutionary Claims.

Mr. Hamlin presented a petition of merchants of New York, praying that the laws allowing fishing bounties may not be repealed or modified.

Ordered, That it lie on the table.

Mr. Brown presented a memorial of mechanics of the District of Columbia, praying the enactment of a law for the enforcement of mechanics' lien on buildings in the District of Columbia ; which was referred to the Committee on the District of Columbia.

Mr. Hammond presented additional papers in support of the claim of Richard W. Meade for the repayment of expenses incurred by him in consequence of the refusal of the commander of the Pacific squadron to allow him to take command of a vessel in obedience to an order of the Secretary of the Navy ; which were referred, with his petition on file, to the Committee on Naval Affairs.

Mr. King presented a petition of E. G. Spaulding and others, citizens of the United States, praying that the public lands may hereafter be held for the use of actual settlers, at the lowest possible rates ; which was referred to the Committee on Public Lands.

Mr. Iverson presented an additional paper in relation to the claim of Richard G. Dove to compensation as messenger in the office of the Third Auditor ; which was referred to the Committee on Claims.

Mr. Iverson presented the memorial of Edward Merritt, late an army express rider in the Mexican war, praying to be allowed a pension or other compensation for services rendered and injuries received in the public service ; which was referred to the Committee on Pensions.

On motion by Mr. Yulee,

Ordered, That the memorial of Isaac Varn, sr., and the petition of David L. Palmer, of the firm of Palmer & Ferris, on the files of the Senate, be referred to the Committee on Claims.

Mr. Yulee submitted the following motion ; which was considered, by unanimous consent, and referred to the Committee on Printing :

Ordered, That five thousand extra copies of the map of Florida, accompanying the report of the Secretary of War, illustrative of the recent surveys for a canal in that State, communicated to the Senate the 11th June, 1856, be printed.

Mr. Jones presented a memorial and joint resolution of the legislature of Iowa, in favor of additional mail facilities in that State; which were referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. Jones presented a memorial of the legislature of Iowa, praying a grant of land to aid in the construction of the McGregor, St. Peter's, and Missouri River Railroad; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Hale submitted the following motion; which was considered, by unanimous consent, and agreed to:

Ordered, That two thousand additional copies of the report of the Committee on Territories on the message of the President communicating a constitution of Kansas, with the views of the minority of the said committee, be printed for the use of the Senate.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Eliza A. Merchant, submitted a report, (No. 84,) accompanied by a bill (S. 163) for the relief of Eliza A. Merchant, widow of the late First Lieutenant and Brevet Captain Charles G. Merchant, United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Mrs. Jane M. McCrabb, submitted a report, (No. 85,) accompanied by a bill (S. 164) to provide for the settlement of the accounts of the late Captain John W. McCrabb.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 19) to extend the limitations of the act entitled "An act for the relief of citizens of towns upon lands of the United States under certain circumstances," approved March 23, 1844; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends.

On motion by Mr. Pugh,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 77) to amend an act entitled "An act to limit the liability of ship owners, and for other purposes," approved March 3, 1851; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 82) to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or

mixed bloods of the Dacotah and Sioux nation of Indians, and for other purposes," approved July 17, 1854, was read the second time and considered as in Committee of the Whole; and having been amended, on the motion of Mr. Stuart, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 64) to equalize the salaries of certain judges of the courts for the District of Columbia, and for other purposes.

On motion by Mr. Pearce,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 71) to amend an act entitled "An act to authorize a relocation of land warrants numbers three, four, and five, granted by Congress to General Lafayette," approved February 26, 1845.

On motion by Mr. Slidell,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Bell presented resolutions of the legislature of Tennessee, instructing the senators and requesting the representatives of that State in Congress to vote for the admission of Kansas as an independent State under what is termed the Lecompton constitution; which were read.

On motion by Mr. Bell that the resolutions be printed, a debate ensued; and

On motion by Mr. Crittenden,

The Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, a statement showing what officers of the army belonging to the several regiments in service in the field or at remote or frontier stations are now absent from duty, and the cause of such absence; which was read.

Ordered, That it lie on the table.

On motion by Mr. Wilson that the report be printed,

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Stuart,

Ordered, That the petition of James Baldwin, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Foster presented the petition of Franklin Kelsey, praying that an appropriation may be made for building, equipping, and testing a

steamboat on a scientific model invented by him; which was referred to the Committee on Naval Affairs.

Mr. Crittenden presented the memorial of Alexander B. Hagner and D. R. Hagner, guardians of the infant children of the late Major J. R. Hagner, of the United States army, praying that they be allowed a pension; which was referred to the Committee on Pensions.

Mr. Bigler presented the petition of Joseph E. Cole, praying the establishment of a line of mail steamers between Baltimore and St. Thomas', in the West Indies; which was referred to the Committee on Post Offices and Post Roads.

Mr. Doolittle presented a petition of Henry Cordier and others, citizens of the United States, praying that the public lands may cease to be regarded as a source of revenue to the government, and that all entries thereof may be confined to actual settlers.

Ordered, That it lie on the table.

Mr. King presented a petition of citizens of Buffalo, New York, remonstrating against the granting of public lands to corporations, and praying that they be retained for actual settlers; which was referred to the Committee on Public Lands.

Mr. Jones presented the memorial of John Frink, praying the remission of certain fines and forfeitures imposed under his contract for carrying the mail; which was referred to the Committee on Post Offices and Post Roads.

Mr. Green presented a memorial adopted at a meeting of citizens of Clark county, Missouri, remonstrating against the division of the lands granted by Congress for the improvement of the Des Moines river, or the application of those lands by the State of Iowa to any other purpose than that for which those lands were granted; which was referred to the Committee on Public Lands.

Mr. Benjamin presented a petition of the city of New Orleans, praying that the title to certain lands bequeathed by the late John McDonough to that city and the city of Baltimore, may be confirmed by the United States; which was referred to the Committee on Private Land Claims.

Mr. Benjamin presented a memorial of the city of New Orleans, praying Congress to relinquish to that city the interest of the United States in certain lands bequeathed to the cities of New Orleans and Philadelphia by the late Stephen Girard; which was referred to the Committee on Private Land Claims.

Mr. Jones presented a memorial of the legislature of Wisconsin, in relation to the Pacific railroad, and in favor of a donation of land to the Territory of Nebraska for the construction of railroads; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Jones presented a resolution of the legislature of Iowa, in favor of a grant of land to aid in the construction of the Prairie du Chien and Mankota railroad; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Jones presented a resolution of the legislature of Iowa, in favor of a grant of land to aid in the construction of the Lansing, Northern

Iowa, and Southern Minnesota railroad; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. Jones presented a memorial and joint resolution of the legislature of Iowa, in behalf of James B. Thomas and his family, who were sufferers by Indian depredations; which were referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. Houston presented a resolution of the legislature of Texas, in favor of a weekly overland mail route from some point in Texas to San Diego, in California; which was referred to the Committee on Post Offices and Post Roads.

Mr. Houston presented a resolution of the legislature of Texas, in favor of the establishment of a line of mail coaches from Tyler to Waco, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Houston presented a resolution of the legislature of Texas, in favor of adopting measures for having the Indians in Texas, west of the Pecos river, collected upon the reserve provided for them; which was referred to the Committee on Indian Affairs.

Mr. Houston presented a resolution of the legislature of Texas, in favor of the establishment of a military post at or near the junction of the larger Wichita and Red rivers, and the adoption of other measures for preventing Indian depredations on the frontier of Texas; which was referred to the Committee on Indian Affairs.

Mr. Houston presented a resolution of the legislature of Texas, in favor of the erection of buildings for post offices and the use of the United States courts in that State, and also the establishment of another judicial district therein; which was referred to the Committee on the Judiciary.

On motion by Mr. Houston,

Ordered, That the papers on the files of the Senate relating to the private land claim of B. E. Edwards be referred to the Committee on Private Land Claims.

On motion by Mr. Simmons,

Ordered, That Edward Harte have leave to withdraw his petition and papers.

Mr. Bigler submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be authorized to cause to be printed for the use of the Post Office Department twelve hundred copies of the report of the Postmaster General, with the appendix, and three hundred copies of the same report without the appendix.

Mr. Wilson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the District of Columbia be instructed to inquire into the expediency of providing by law for the establishment, under the authority and control of the government of the United States, of an efficient police in the city of Washington.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the

further consideration of the memorial of David Gordon, and that it be referred to the Committee on Indian Affairs.

On motion by Mr. Benjamin,

Ordered, That J. R. St. John, Gregory and Company have leave to withdraw their memorial and papers.

Mr. Mallory asked and, by unanimous consent, obtained leave to bring in a bill (S. 165) authorizing the construction of a dry dock for the naval service; which was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

Mr. Iverson, from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 81) to amend "An act for the relief of Whitemarsh B. Seabrook and others," reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Clark, from the Committee on Claims, to whom was referred the memorial of Eleazer Williams, submitted a report, (No. 86,) accompanied by a bill (S. 166) for the relief of Eleazer Williams.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 71) to amend an act entitled "An act to authorize a relocation of land warrants numbers three, four, and five, granted by Congress to General Lafayette," approved February 26, 1845; and, having been amended on the motion of Mr. Pugh, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 76) to incorporate Gonzaga College, in the city of Washington, and District of Columbia; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The bill (S. 161) for the admission of the State of Kansas into the Union was read the second time and considered as in Committee of the Whole; and,

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed to,

and be the special order of the day for, Monday next, the 1st of March, at one o'clock.

The senate resumed the consideration of the motion of Mr. Bell to print the resolutions of the legislature of Tennessee, presented yesterday; and,

After debate,

The motion was agreed to.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States; and,

After the consideration of executive business,

The Senate adjourned.

THURSDAY, FEBRUARY 25, 1858.

The Vice President laid before the Senate a letter of the Secretary of War, communicating copies of two maps to accompany the report of Lieutenant Colonel J. D. Graham, transmitted to the Senate the 10th instant, in compliance with the resolutions of the 4th, 5th, and 26th of January; which was read.

On motion by Mr. Stuart,

Ordered, That the letter and the accompanying maps be referred to the Committee on Printing.

Mr. Brown presented the petition of Robert A. Wainwright, a captain in the army, praying the reimbursement of certain public money which was stolen from him in Boston, while commandant of the United States arsenal at Watertown, Massachusetts, and for which he has accounted to the United States; which was referred to the Committee on Claims.

On motion by Mr. King,

Ordered, That the petition of Jacob Washington Morse, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Thomson, of New Jersey, presented a petition of citizens of Woodbury, New Jersey, praying the adoption of some measure by which the southern States shall receive a fair compensation out of the public treasury or public domain for their slaves, when they shall think proper to emancipate them.

Ordered, That it lie on the table.

Mr. Green presented the memorial of J. and R. H. Porter, praying remuneration for losses sustained while transporting merchandise to Great Salt Lake City, in consequence of orders of the commander of the United States troops in the Territory of Utah; which was referred to the Committee on Military Affairs and the Militia.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to furnish to the Senate, in tabular form, a statement showing the names, force, and other appropriate description, of all vessels of the navy of the

United States which have been *captured, lost, or destroyed*, since its organization or restoration, in seventeen hundred and ninety-eight; who commanded them at the time; for what cause they were so captured, lost, or destroyed; when and where it occurred; whether the causes which produced these results were ascertained by investigations by *courts-martial, courts of inquiry*, or otherwise; the finding of such courts-martial and the opinions of such courts of inquiry, (if either or any were held,) in each case; how far those findings and opinions were carried into effect by those on whom devolved the duty of executing them; and further, to state the name, character, and force, of all prizes of enemies' vessels-of-war captured by the United States navy, which were retaken by said enemies in neutral ports, by which the captors were deprived of a right to property therein, which right was conferred upon them by the law regulating the apportionment and distribution of prize money arising from captures made by equal or inferior forces; whether prizes so retaken have been reclaimed from the enemy, or from any neutral power which has thus, in violation of international law, permitted prizes so situated to be carried from its port or ports by our enemy; and further, how or whether the said captors have been compensated or sustained in their right to property thus acquired; and, so far as the records of his department may not supply the information, that he cause the same to be compiled from other sources (if such there be) worthy, in his judgment, of reliance, distinguishing, in such case, the one source from the other.

Resolved, That the Secretary of the Navy be directed to furnish to the Senate a statement, giving the names, character, and force, of any and all ships-of-war or other armed vessels captured by our navy, and subsequently taken into the service of the United States, failing a condemnation by our courts, or without a just or regular valuation of them having been made, and whether, in such cases, if any, a fair or equitable remuneration has ever been made to the captors for the transfer of their prizes to the government; and further, where any merchant vessel has been justly captured by the United States navy, which has not been sent home for judicial examination or condemnation, but which has, from motives dictated by State policy, been taken from the captors and restored to previous owners, whether any, and if any, a fair and equitable remuneration has been made to the captors for restoration thus made.

Resolved, That the Secretary of State be directed to furnish to the Senate copies of any and all correspondence which may have occurred with any foreign government, relative to prize vessels belonging to the navy of the United States, which have been taken from their ports by the enemy, for reclamation of them or their value; and also, copies of any reports or correspondence of and with the captors of such vessels as have been taken from them in neutral ports.

Mr. Hamlin, from the Committee on Commerce, to whom was referred the petition of John M. Chase and others, owners of the barque Attica, reported a bill (S. 167) for the relief of the owners of the barque Attica, of Portland, Maine; which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the joint resolution (S. 19) to extend the limitations of the act entitled "An act for the relief of citizens of towns upon lands of the United States, under certain circumstances," approved March 23, 1844, reported it without amendment, and that it ought not to pass.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the memorial of the corporation of Georgetown in relation to the expenses of county roads in Washington county, submitted a report, (No. 90,) accompanied by a bill (S. 168) to relieve the corporation of Georgetown from the expense of making and repairing roads west of Rock creek.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 152) to incorporate the Washington National Monument Society, reported it without amendment.

Mr. Polk asked and, by unanimous consent, obtained leave to bring in a bill (S. 169) in relation to conflicting land claims; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Polk, from the Committee on Claims, to whom was referred the memorial of Anthony S. Robinson, submitted a report (No. 89) which was ordered to be printed to accompany Senate bill No 158.

Mr. Brown reported from the Committee that they had examined and found duly enrolled the bill (H. R. 81) to amend "An act for the relief of Whitemarsh B. Seabrook and others."

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 81,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 81) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The bill (S. 91) to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army was read a third time.

On the question "Shall this bill pass?"

On motion by Mr. Johnson, of Arkansas,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Crittenden presented, as a privileged subject, a letter from the Hon. James Shields, setting forth the grounds upon which he claims a right to a seat as a senator from the State of Minnesota; which was read.

Mr. Crittenden also presented a paper purporting to be the credentials of the Hon. James Shields as a senator from the State of Minnesota; which was read; and moved that the oath of office be administered to Mr. Shields, and that he be admitted to a seat in the Senate.

Mr. Johnson, of Arkansas, raised a question of order, whether the subject presented by Mr. Crittenden was a *privileged* subject.

The Vice President submitted the question for the decision of the Senate.

On motion by Mr. Johnson, of Arkansas, that the subject lie on the table,

It was determined in the negative, { Yeas..... 22
Nays 26

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Biggs, Bright, Brown, Clay, Evans, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Fitch, Foot, Foster, Gwin, Hamlin, Harlan, Houston, King, Pugh, Seward, Simmons, Sumner, Trumbull, Wilson.

Whereupon,

Mr. Toombs submitted the following resolution :

Resolved, That the question of the admission of James Shields to a seat in this body, as a senator from the State of Minnesota, be referred to the Judiciary Committee, with instructions to inquire whether or not Minnesota is a State of the Union under the Constitution and laws.

The Senate proceeded to consider the resolution ; and

The resolution was agreed to.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 79) to increase the military establishment of the United States.

On motion by Mr. Johnson, of Tennessee, to amend the same, by striking out all after the enacting clause and inserting—

That the President, for the purpose of enforcing the laws of the United States and protecting the citizens on the routes of emigration in the Territory of Utah, and to be employed in said Territory, be, and he is hereby, authorized to call for and accept the services of any number of volunteers, not exceeding in all three thousand officers and men, who may offer their services as infantry, to serve for and during the pending difficulties with the Mormons in said Territory, and no longer ; and that the sum of dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying the provisions of this act into effect.

SEC. 2. *And be it further enacted, That the volunteers so offering their services shall be accepted by the President in companies, battalions, or regiments, and that each company shall consist of the same number of officers and men as now prescribed by law for the infantry arm of the army ; and that the companies, battalions, and regiments shall be each respectively authorized to elect their own officers ; and when so elected, shall be appointed and commissioned by the President of the United States.*

SEC. 3. *And be it further enacted, That said volunteers, when mustered into the service, shall be armed and equipped at the expense of the United States, and, until discharged therefrom, be subject to the rules and articles of war; and shall be organized in the same manner, and shall receive the same pay and allowances as the infantry arm of the army of the United States.*

SEC. 4. *And be it further enacted, That the volunteers who may be received into the service of the United States by virtue of this act, and who shall be wounded or otherwise disabled in the service, shall be entitled to all the benefits which may be conferred upon persons wounded or disabled in the service of the United States.*

SEC. 5. *And be it further enacted, That the said officers, musicians, and privates authorized by this act shall immediately be disbanded from the service of the United States at the termination of the pending difficulties with the Mormons in the Territory of Utah, and in no case shall the force created by this act continue in service more than two years.*

It was determined in the negative, { Yeas..... 23
Nays 26

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Seward, Simmons, Sumner, Toombs, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Crittenden, Evans, Fitch, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Wright, Yulee.

On motion by Mr. Hunter to amend the bill by striking out all after the enacting clause and inserting the following:

That, in addition to the military establishment of the United States, there shall be raised and organized, under the direction of the President, one regiment of dragoons and two regiments of infantry, each to be composed of the same number and rank of commissioned and non-commissioned officers, buglers, musicians, and privates, and so forth, as are provided for a regiment of dragoons and infantry, respectively, under existing laws, and who shall receive the same pay, rations, and allowances, according to their respective grades, and be subject to the same regulations and to the rules and articles of war: Provided, That it shall be lawful for the President of the United States alone to appoint such of the commissioned officers, authorized by this act, below the grade of field officers as may not be appointed during the present session.

SEC. 2. *And be it further enacted, That the said officers, musicians, and privates, authorized by this act, shall immediately be discharged from the service of the United States at the expiration of two years from and after the passage of this act.*

SEC. 3. *And be it further enacted, That regular promotions to vacancies occurring in the grades of commissioned officers, in the regiments*

hereby authorized and required to be raised, shall be by regiments, instead of by arms of service, as now regulated and provided in certain cases.

SEC. 4. *And be it further enacted, That the President of the United States be, and is, authorized to select such officers of the army as he may think proper and assign them to command, with temporary and increased rank, in the regiments hereby authorized, and who, whilst exercising the temporary rank thus conferred, shall receive the pay and emoluments of the command to which they have been assigned, and be entitled to no other pay and allowances whatsoever, during the period of said detached service; officers employed shall succeed to vacancies in their new corps, according to the ordinary rules of promotion, and if not previously ordered to do so, shall, upon the disbandment of the regiments to which they have been assigned, rejoin their own regiment, corps, troop, or company, as the case may be; the field officers of the regiments herein authorized and provided for shall be selected from the officers of the army and appointed by the President, with the advice and consent of the Senate, to temporary commissions, the effect of which will cease and determine on the disbandment of the corps to which they may be assigned.*

The amendment having been amended on the motion of Mr. Biggs,

On motion by Mr. Pugh to amend the amendment proposed by Mr. Hunter, as amended, by striking out all after the word "that," where it first occurs, and inserting the following:

The President is hereby authorized to call for and accept the services of any number of volunteers, not exceeding in all three thousand officers and men, who may offer their services as cavalry or infantry, to serve for two years, unless sooner discharged after they shall have arrived at the place of rendezvous, or been mustered into the service of the United States, and that the sum of _____ dollars be, and the same is hereby, appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of carrying the provisions of this act into effect.

SEC. 2. *And be it further enacted, That said volunteers, when mustered into the service, shall be armed and equipped at the expense of the United States, and, until discharged therefrom, be subject to the rules and articles of war, and shall be organized in the same manner and shall receive the same pay and allowances as officers and soldiers of the like grade or arm in the army of the United States.*

SEC. 3. *And be it further enacted, That the volunteers so offering their services shall be accepted by the President in companies, battalions, or regiments, and that each company shall consist of the same number of officers and men as may be prescribed by law for companies of the regular army; the captain and lieutenants of each company shall be elected or appointed according to the laws of their several States, and the President, in the appointment of the staff and field officers, shall apportion them to the States whence the companies are accepted.*

SEC. 4. *And be it further enacted, That the volunteers who may be received into the service of the United States, by virtue of this act, and who shall be wounded or otherwise disabled in the service, shall be entitled to all the benefits which may be conferred upon persons wounded or disabled in the service of the United States.*

It was determined in the affirmative, { Yeas..... 27
Nays 25

On motion by Mr. Biggs,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Crittenden,
Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Gwin,
Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Pugh,
Seward, Simmons, Sumner, Toombs, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay,
Evans, Fitch, Green, Hammond, Hunter, Iverson, Johnson, of Ar-
kansas, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Stuart,
Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

On the question to agree to the amendment proposed by Mr. Hunter,
as amended, on the motion of Mr. Pugh,

It was determined in the affirmative, { Yeas..... 26
Nays 25

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Crittenden,
Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale,
Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Pugh,
Seward, Simmons, Sumner, Toombs, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay,
Evans, Fitch, Green, Hammond, Hunter, Iverson, Johnson, of Ar-
kansas, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Stuart,
Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

So the amendment, as amended, was agreed to.

No further amendment being proposed, the bill was reported to the
Senate; and the amendment made in Committee of the Whole was
concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

On the question, "Shall this bill pass?"

It was determined in the negative, { Yeas..... 16
Nays 35

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Biggs, Broderick, Cameron, Crittenden, Douglas,
Green, Gwin, Houston, Johnson, of Tennessee, Mallory, Pugh, Se-
ward, Stuart, Thompson, of Kentucky, Toombs.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Brown, Chandler, Clark,
Clay, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Foot,
Foster, Hale, Hamlin, Hammond, Harlan, Hunter, Iverson, John-
son, of Arkansas, King, Mason, Polk, Sebastian, Simmons, Slidell,

Sumner, Thomson, of New Jersey, Trumbull, Wilson, Wright, Yulee.

So the bill was rejected.

On motion by Mr. Hale, that the Senate reconsider the vote last mentioned.

On motion by Mr. Toombs,

Ordered, That the motion lie on the table.

On motion by Mr. Clay,

Ordered, That when the Senate adjourn it be to Monday next.

On motion by Mr. Clark,

The Senate adjourned.

MONDAY, MARCH 1, 1858.

Mr. Jones reported from the Committee that they presented to the President of the United States, the 27th of February, the enrolled bill (H. R. 81) to amend "An act for the relief of Whitemarsh B. Seabrook and others."

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills; in which it requests the concurrence of the Senate:

H. R. 5. An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for the year ending June 30, 1859.

H. R. 271. An act to enable the President of the United States to fulfil the stipulations contained in the third and sixth articles of the treaty between the United States and the King of Denmark, of the 11th April, 1857, for the discontinuance of the Sound dues.

The bills from the House of Representatives last mentioned, were read the first and second times by unanimous consent.

Ordered, That they be referred to the Committee on Finance.

The Vice President presented a resolution of the legislature of the Territory of Washington, relative to the proclamation of martial law over the counties of Pierce and Thurston, by Isaac I. Stevens, late governor of that Territory; which was read.

Ordered, That it be printed.

Mr. Clay presented the credentials of the Hon. James P. Henderson, elected a senator by the legislature of Texas, to fill the vacancy occasioned by the death of the Hon. Thomas J. Rusk.

The credentials were read, and the oath prescribed by law was administered to Mr. Henderson, and he took his seat in the Senate.

Mr. Jones presented a memorial of the legislature of Iowa, in favor of restricting the sales of the public lands to actual settlers; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Jones presented a memorial of the legislature of Iowa, praying a donation of land to the Territory of Nebraska, to aid in the con-

struction of a railroad from the Missouri river, *via* the South Pass, to some point in Washington Territory; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Gwin presented resolutions of the legislature of California, in favor of the establishment of a mail route from San Bernardino to Fort Yuma; from Marysville to Forest City; from Auburn to Nevada City; from Sacramento City to Cacheville; from Sacramento City to Stockton; from Union to Orleans Bar, and from Union to San Francisco, in that State; which were referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. Mallory presented additional papers in relation to the claim of Fanny Tyler; which were referred to the Committee on Pensions.

Mr. Mallory presented the memorial of James H. Frost and Eliza A. Johnson, legal representatives of John A. Frost, deceased, late a boatswain in the South Sea Exploring Expedition, praying to be allowed the extra pay granted to the forward officers of that expedition; which was referred to the Committee on Naval Affairs.

Mr. Wilson presented a petition of citizens of Barnstable county, Massachusetts, praying to be allowed bounty land for military services in the war of 1812; which was referred to the Committee on Claims.

Mr. Benjamin presented the petition of the heirs and representatives of Christoval and Miguel De Armas, praying the confirmation of certain land titles; which was referred to the Committee on Private Land Claims.

Mr. Benjamin presented a memorial of John C. F. Salomon and George W. Morris, inventors and patentees of certain improvements in the construction and fitting up of sailing vessels and steamers, by which the perils of ocean navigation will be greatly lessened, praying that an appropriation may be made for a practical test of their invention; which was referred to the Committee on Commerce.

Mr. Seward presented three petitions of citizens of New York, praying that pensions may be granted to the soldiers of the war of 1812, and to the widows of those who have died; which were referred to the Committee on Pensions.

Mr. Pugh presented a petition of citizens of West Elkton, Ohio, praying that the land system may be so changed as to secure the public domain to actual settlers; which was referred to the Committee on Public Lands.

Mr. Pugh presented two petitions of citizens of Sandusky county, Ohio, praying that a pension may be granted to each of the surviving officers and soldiers who have been in the regular or volunteer service of the United States prior to January, 1848; which were referred to the Committee on Pensions.

Mr. Bigler presented a memorial of the Board of Marine Underwriters of Philadelphia, praying that the act of August 31, 1852, under which the light-house board was established, may not be altered; which was referred to the Committee on Commerce.

Mr. Bigler presented a memorial of the Board of Trade of Philadelphia, praying the establishment of a line of mail steamers between Philadelphia and Savannah, and the port of Para, in Brazil, touching

at St. Thomas, Barbadoes, and Demerara ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Stuart presented a memorial of the Michigan State Agricultural Society, praying that a grant of land may be made for the endowment of the agricultural college of that State and similar institutions in each State in the Union ; which was referred to the Committee on Public Lands.

Mr. Polk presented the petition of Radford, Cabot and Company, praying indemnity for losses sustained in consequence of orders of the commander of the United States troops in Utah ; which was referred to the Committee on Claims.

Mr. Broderick presented a resolution of the legislature of California, in favor of the establishment of a territorial government in Carson valley.

Ordered, That it lie on the table and be printed.

Mr. Broderick presented a resolution of the legislature of California, in favor of the enactment of a law granting land to actual settlers in that State ; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Doolittle presented a memorial of the legislature of Wisconsin, in favor of the erection of a light-house at the mouth of Kewannee river ; which was referred to the Committee on Commerce and ordered to be printed.

Mr. Doolittle presented a petition of citizens of Wisconsin, praying the erection of a light-house at Kewannee, in that State ; which was referred to the Committee on Commerce.

Mr. Clay presented a memorial and remonstrance of the marine insurance companies of the city of New York, against the repeal of the act of Congress of August 31, 1852, establishing the light-house board ; which was referred to the Committee on Commerce.

Mr. Johnson, of Tennessee, presented a petition of citizens of West Manchester, Pennsylvania, praying that the public lands may no longer be held for purposes of public revenue, and that hereafter they be reserved for actual settlers.

Ordered, That it lie on the table.

Mr. Johnson, of Tennessee, presented four petitions of citizens of Milwaukie, Wisconsin, praying that the public lands may no longer be held for purposes of public revenue, and that hereafter they be reserved for actual settlers only.

Ordered, That they lie on the table.

Mr. Johnson, of Tennessee, presented a resolution of the legislature of Tennessee, in favor of such an amendment of the postage laws as will allow persons sending public documents or newspapers by mail to endorse upon them their names ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Harlan presented a resolution of the legislature of Iowa, in favor of the erection of a post office, United States court-house, and custom-house, at Burlington, in that State ; which was referred to the Committee on Commerce and ordered to be printed.

Mr. Harlan presented a resolution of the legislature of Iowa, in favor of a grant of lands to aid in the construction of a railroad from

the northern boundary of Iowa, at or near its intersection by the St. Paul and Minnesota railroad, to Sioux city, on the Missouri river; which was referred to the Committee on Public Lands and ordered to be printed.

On motion by Mr. Gwin,

Ordered, That the petition of Cranstoun Laurie, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he hereby is, requested to communicate for the use of the Senate any information within his reach concerning the late expedition of Lieutenant E. F. Beale, to open a wagon road from a point near Fort Defiance, in New Mexico, to the western borders of California, and that he also be requested to furnish a map or chart of such road.

Mr. Hunter submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Postmaster General be requested to inform the Senate the amount which has been allowed and paid to postmasters of distributing and separating offices, out of the postage collected at such offices, under the two provisions of the act entitled "An act to regulate the pay of deputy postmasters," approved 22d June, 1854, authorizing the Postmaster General in his discretion to make extra allowances to such offices.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the petition of commissioners of emigration of the State of New York, and that it be referred to the Committee on the Judiciary.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Joseph Dowd, submitted an adverse report, (No. 95,) which was ordered to be printed.

Mr. King, from the Committee on Military Affairs and the Militia, to whom was referred the petition of commissioners of the State of New York in charge of arsenals and armories of that State, submitted a report accompanied by a bill (S. 170) to grant "Rome Arsenal," to the State of New York on certain conditions.

The bill (S. 170) last mentioned was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. 14) to authorize the Secretary of the Treasury to issue a register or enrollment to the vessel called the James McIndoe, now owned by Thomas Coatsworth, of Buffalo, New York, reported it without amendment, and submitted an adverse report, (No. 91,) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of Otway H. Berryman, submitted a report, (No. 92,) accompanied by a bill (S. 171) for the relief of Otway H. Berryman.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of William D. Moseley, submitted a report, (No. 93,) accompanied by a bill (S. 172) for the relief of William D. Moseley.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Mary Petery, submitted a report, (No. 94,) accompanied by a bill (S. 173) for the relief of Mary Petery.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Wilson,

The Senate resumed the consideration of the motion made by Mr. Biggs, the 18th February, to reconsider the vote on agreeing to the resolution submitted by Mr. Wilson, calling for certain information from the President of the United States ;

On motion by Mr. Biggs, that the motion to reconsider lie on the table,

Mr. Stuart raised a question of order, whether the motion by Mr. Biggs, to lie on the table, was in order.

The Vice President decided that it was in order.

On the question to agree to the motion by Mr. Biggs, that the motion to reconsider lie on the table,

It was determined in the affirmative, { Yeas. 26
Nays 20

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bright, Broderick, Brown, Clay, Evans, Fitch, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Foot, Foster, Hamlin, Harlan, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

On motion by Mr. Gwin, that the Senate resume the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California.

A motion was made by Mr. Green, that the prior orders of the day be postponed, and that the Senate proceed to the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union,

It was determined in the affirmative, { Yeas..... 32
Nays 20

On motion by Mr. Gwin,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Collamer, Crittenden, Evans, Fitch, Green, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Dixon, Doolittle, Douglas, Durkee, Foot, Foster, Gwin, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

So the Senate proceeded to consider, as in Committee of the Whole, the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate, and the consideration of executive business, by unanimous consent,

The Senate adjourned.

TUESDAY, MARCH 2, 1858.

Mr. Bayard presented the memorial of Robert Hale, praying compensation for his improvement in war rockets, and for his stand for firing them ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Mallory presented the petition of Francis D. Pons, for himself and Peter Pons, late partners in trade, praying that he may be allowed to prove his claims for losses in Florida in 1812 and 1813 before the judge of the northern district of Florida ; which was referred to the Committee on the Judiciary.

On motion by Mr. Seward,

Ordered, That the memorial of Louis F. Tasistro, on the files of the Senate, be referred to the Committee on Claims.

Mr. Slidell presented two memorials of citizens of New Orleans, praying that a system of instruction may be introduced on board of our vessels-of-war for the improvement of the *personnel* of the navy ; which was referred to the Committee on Naval Affairs.

Mr. Benjamin presented the petition of the heirs-at-law of S. Girard and others, praying the confirmation of their title to certain lands in the State of Louisiana ; which was referred to the Committee on Private Land Claims.

Mr. Clark presented the memorial of William A. Vaughan, John Smith, William D. Little, and others, praying compensation for services as inspectors at the port of Portsmouth, New Hampshire ; which was referred to the Committee on Commerce.

Mr. Iverson presented the petition of J. W. Brown, praying Congress to purchase his patent for the manufacture of fire arms, which

will greatly lessen the cost of their manufacture; which was referred to the Committee on Military Affairs and the Militia.

Mr. Iverson presented a petition of assistant engineers in the navy, praying that their pay may date from their promotion, and not from the issue of their warrants by the War Department; which was referred to the Committee on Naval Affairs.

Mr. Gwin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Private Land Claims be instructed to inquire into the expediency of increasing the compensation now allowed by law to the United States deputy surveyors in the State of California for surveying private land claims in that State.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to inquire into the expediency of causing to be prepared, under their supervision and control, a continuation of the compilation of the laws and decisions of the Departments of the Treasury and Interior pertaining to the public lands, accompanied by the opinions of Attorneys General, and decisions of the Supreme Court relating to said laws, with a full and copious index, so as to bring the work, heretofore published under the authority of a resolution passed by the Senate on the 28th day of February, 1837, down to the present time.

On motion by Mr. Brown,

Ordered, That the memorial of Charles A. Kinkead, in behalf of Livingston, Kinkead & Co., on the files of the Senate, be referred to the Committee on Indian Affairs.

Mr. Bigler was, on his motion, excused from serving as a member of the Committee on the District of Columbia.

On motion by Mr. Bigler,

Ordered, That a member be appointed to fill the vacancy in the said committee, and that the appointment be made by the Vice President; and

Mr. Henderson was appointed.

Mr. Thomson, of New Jersey, was, on his motion, excused from serving as a member of the Committee on Post Offices and Post Roads.

On motion by Mr. Thomson, of New Jersey,

Ordered, That a member be appointed to fill the vacancy in the said committee, and that the appointment be made by the Vice President.

Mr. Durkee, from the Committee on Private Land Claims, to whom was referred the memorial of Thomas Henderson, submitted an adverse report, (No. 99;) which was ordered to be printed.

Mr. Biggs, from the Committee on Private Land Claims, to whom was referred the memorial of Camille St. Amant, submitted an adverse report, (No. 100;) which was ordered to be printed.

The Senate proceeded to consider the report last mentioned; and, in concurrence therewith,

Ordered, That the Committee be discharged from the further consideration of the memorial.

Mr. Polk, from the Committee on Claims, to whom was referred the petition of Miles Devine, submitted an adverse report.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the petition of George Frasier, reported the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the Committee on Foreign Relations be discharged from the further consideration of the petition of George Frasier, and that the petition and papers be referred to the Court of Claims.

On motion by Mr. Mallory,

Ordered, That the bill (S. 121) for the relief of Sturges, Bennett & Co., merchants of the city of New York, be recommitted to the Committee on Claims.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 271) to enable the President of the United States to fulfil the stipulations contained in the third and sixth articles of the treaty between the United States and the king of Denmark of the 11th April, 1857, for the discontinuance of the Sound dues, reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That the bill be read a third time.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Agreeably to notice, Mr. Seward asked and obtained leave to bring in a bill (S. 174) to amend an act entitled "An act to regulate the carriage of passengers in steamships or other vessels," approved March 3, 1853; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 175) for the relief of S. W. Holladay and others; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Gwin presented papers relating to the claim of S. W. Holladay and others, which were referred to the Committee on Private Land Claims.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 176) to acquire certain lands needed for the Washington aqueduct in the District of Columbia; which was read the first and second times by unanimous consent, and referred to the Committee on the District of Columbia.

Mr. Durkee, from the Committee on Private Land Claims, to whom was referred the petition of William Marvin, submitted a report, (No. 96,) accompanied by a bill (S. 177) to confirm to William Marvin title to lands in East Florida.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Houston asked and, by unanimous consent, obtained leave to bring in a bill (S. 178) to provide for the organization of a regiment

of mounted volunteers for the defence of the frontier of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Houston asked and, by unanimous consent, obtained leave to bring in a bill (S. 179) to extend the provisions of section twelve of the "Act making appropriations for the naval service for the year ending the 30th June, 1858;" which was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 80) for the relief of the heirs and legal representatives of Olivier Landry, of the State of Louisiana, reported it without amendment, and submitted a report (No. 97) on the subject, which was ordered to be printed.

Mr. Evans, from the Committee on Patents and the Patent Office, to whom the subject was referred, reported a bill (S. 180) to amend the several acts now in force in relation to the Patent Office; which was read and passed to a second reading.

Mr. Fitch, from the Committee on Indian Affairs, to whom was referred the memorial of Anson Dart, submitted a report, (No. 98,) accompanied by a bill (S. 181) for the relief of Anson Dart.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The bill (S. 123) for the relief of Henry Hubbard was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The Senate proceeded to consider the resolution reported by the Committee on Commerce, who were instructed to inquire into the expediency of erecting a custom-house at Keokuk, and at Sioux city, and of making the latter a port of delivery; and

The resolution was agreed to.

The Senate proceeded to consider the resolution reported by the Committee on Commerce adverse to the petition of citizens of Franklin county, Florida, and the presentment of the grand jury of the United States court for the northern district of Florida, and the resolution of the Senate of the 7th of January, relative to the appointment of steamboat inspectors; and

The resolution was agreed to.

The Senate proceeded to consider the resolution submitted by Mr. Sebastian the 26th of January, in relation to the report of J. Ross Browne, special agent of the Indian Department in Oregon and Washington; and

On motion by Mr. Sebastian,

Ordered, That the further consideration of the resolution be postponed indefinitely.

The Senate resumed the consideration of the resolution submitted by Mr. Douglass the 4th of February, calling for certain information in relation to the recent elections in Kansas ; and

At one o'clock,

The Vice President announced the special order of the day.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and

After debate, and the consideration of executive business,

The Senate adjourned.

WEDNESDAY, MARCH 3, 1858.

Mr. Hammond presented the memorial of R. Smith, administrator of Arthur Middleton, praying to be allowed the outfit of chargé d'affaires, the duties of which office were discharged by said Middleton, while secretary of legation at the court of Madrid ; which was referred to the Committee on Foreign Relations.

Mr. Mason presented the petition of John Mason and others, heirs of Jeremiah Gilman, an officer in the revolutionary army, praying to be allowed half-pay ; which was referred to the Committee on Revolutionary Claims.

Mr. Durkee presented a memorial of the Milwaukie and Rock River Canal Company, praying that the State of Wisconsin may not be released from its indebtedness to the United States for moneys received from the sale of the canal lands, without provision being made to protect the rights of the company ; which was referred to the Committee on the Judiciary.

Mr. Simmons presented the memorial of Catharine Denny, widow of John W. Denny, praying that her pension may be continued ; which was referred to the Committee on Pensions.

Mr. Pearce presented a memorial of the owners and conductors of the flouring mills at Georgetown, District of Columbia, and others, praying that the bill to restrict the issue and circulation of bank notes in the District of Columbia may not become a law.

Ordered, That it lie on the table.

On motion by Mr. Pearce, that the memorial be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the petition of Thomas Halenan, submitted an adverse report.

The Senate proceeded, by unanimous consent, to consider the report ; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be denied.

On motion by Mr. Pearce,

Ordered, That the memorial of Walter M. Gibson, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Pugh, from the Committee on the Judiciary, to whom was referred the bill (S. 36) further to amend "An act to divide the State

of Illinois into two judicial districts," approved February 13, 1855, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be: "An act to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States in certain cases."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 271) to enable the President of the United States to fulfil the stipulations contained in the third and sixth articles of the treaty between the United States and the king of Denmark, of the 11th April, 1857, for the discontinuance of the Sound dues.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 271,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 271) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred a memorial of mechanics of the District of Columbia, reported a bill (S. 182) for the enforcement of mechanics' liens on buildings, &c., in the District of Columbia; which was read and passed to a second reading.

Mr. Hammond, from the Committee on Naval Affairs, to whom were referred papers relating to the claim of Lieutenant W. F. Lovell and others, of the expedition in search of Dr. Kane, to extra pay, submitted a report, (No. 101,) accompanied by a joint resolution (S. 20) authorizing the Secretary of the Navy to pay to the officers and seamen of the expedition in search of Dr. Kane the same rate of pay that was allowed the officers and seamen of the expedition under Lieutenant DeHaven.

The resolution was read and passed to a second read.

Ordered, That the report be printed.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred, on the 5th of January, a motion to print the report of the Superintendent of the Coast Survey, showing the progress of the work during the year ending November 1, 1857, and a resolution directing the printing of ten thousand additional copies of the report, reported the following resolution:

Resolved, That, in addition to the usual number of copies of the report of the Superintendent of the Coast Survey for the year 1857, there be printed five thousand copies for distribution from the Treas-

sury Department, and that the same be printed and bound, with the plates, in quarto form; and that the printing of said plates shall be done to the satisfaction of the Superintendent of the Coast Survey.

The Senate proceeded, by unanimous consent, to consider the said resolution; and,

Pending debate, the hour of one o'clock, fixed for the consideration of the special order of the day, having arrived,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and,

After debate, and the consideration of executive business,

The Senate adjourned.

THURSDAY, MARCH 4, 1858.

The Vice President presented a memorial and joint resolution of the council and house of representatives of the Territory of Nebraska, in favor of an appropriation for the purpose of bridging the Great Platte or Nebraska river, at some point within fifty miles of its mouth; which was referred to the Committee on Commerce and ordered to be printed.

Mr. Cameron presented a petition of operatives and citizens of Huntingdon county, and a petition of citizens of Montgomery county, Pennsylvania, praying that sufficient protection may be extended to that branch of American labor engaged in the manufacture of iron; which were referred to the Committee on Finance.

Mr. Stuart presented a petition of citizens of Lockport, New York, and two petitions of citizens of Michigan, praying the construction of a harbor of refuge at New Buffalo, Michigan; which were referred to the Committee on Commerce.

Mr. Allen presented a resolution of the legislature of the State of Rhode Island and Providence Plantations, in favor of an act granting public lands to the several States and Territories, to aid and encourage scientific education in agriculture and the mechanic arts; which was read.

Ordered, That it be printed.

Mr. Bigler presented the petition of John Wightman, praying that the Postmaster General may be authorized to vary the terms of his contract for carrying the mail in conformity with principles of equity and justice; which was referred to the Committee on Post Offices and Post Roads.

Mr. Hamlin presented the petition of Ebenezer Ricker, praying to be allowed a pension on account of a wound received in the military service of the United States; which was referred to the Committee on Pensions.

Mr. Hamlin presented a resolution of the legislature of Maine, in favor of the distribution of a portion of the public lands among the several States for educational purposes.

Ordered, That it lie on the table and be printed.

Mr. Thomson, of New Jersey, presented the petition of Jeremiah Pendergast, praying to be allowed additional pay for services as a night watchman at the Patent Office building ; which was referred to the Committee on Patents and the Patent Office.

Mr. Jones presented a memorial of the general assembly of Iowa, praying the establishment of a tri-weekly mail from Des Moines, in that State, to White Cloud in the Territory of Kansas ; which was referred to the Committee on Post Offices and Post Roads, and ordered to be printed.

Mr. Toombs submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That so much of the annual message of the President of the United States as relates to the subject of "a uniform bankrupt law " be referred to the Committee on the Judiciary.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the paper relating to the claim of C. J. Fox, and that it be referred to the Committee on Foreign Relations.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the memorial of John C. F. Solomon and George W. Morris, and that it be referred to the Committee on Naval Affairs.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 139) amendatory to the act entitled "An act in addition to certain acts granting bounty lands to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855, reported it without amendment, and that the bill ought not to pass.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 157) to provide for the payment to the State of Missouri of two per centum of the net proceeds of the sales of public lands therein, heretofore reserved under a compact with said State, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom was referred a bill reported from the Court of Claims the 10th December, 1857, for the relief of Charner T. Scaife, administrator of Gilbert Stalker, with the opinion of the court in favor of the claim, reported the bill (S. 183) without amendment, and submitted a report, (No. 102 ;) which was ordered to be printed.

The bill (S. 183) was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred a bill reported from the Court of Claims the 12th of May, 1856, for the relief of John Robb, with the opinion of the Court in favor of the claim, reported the bill (S. 184) with an amendment, and submitted a report, (No. 103 ;) which was ordered to be printed.

The bill (S. 184) was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred the joint resolution (S. 2) to authorize the President of the United States to audit and settle the accounts of the contractor for the erec-

tion of the United States marine hospital at San Francisco, California, reported it with an amendment.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 4) to authorize writs of error in all cases prosecuted by indictment, reported it with an amendment.

Mr. Bayard, from the Committee on the Judiciary, who were instructed by a resolution of the Senate to inquire whether or not Minnesota is a State of the Union under the Constitution and laws, submitted a report, (No. 104,) accompanied by the following resolution:

Resolved, That Minnesota is not a State of the Union under the Constitution and laws.

On motion by Mr. Bayard,

Ordered, That the report be printed.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the resolution of the Senate (S. 3) to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " in respect to dropped and retired naval officers.

The Senate resumed the consideration of the bill (S. 122) for the relief of Captain Thomas Ap Catesby Jones; and,

Pending debate thereon, the hour of one o'clock, fixed for the consideration of the special order of the day, arrived; and

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and,

After debate,

On motion by Mr. King,

The Senate proceeded to the consideration of executive business; and

The doors being opened,

On motion by Mr. Broderick, that when the Senate adjourn it be to Monday next, at twelve o'clock,

It was determined in the affirmative, { Yeas 20
Nays 19

On motion by Mr. Biggs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Biggs, Bigler, Bright, Clark, Ulay, Fitch, Green, Houston, Hunter, Iverson, Johnson, of Tennessee, Kennedy, Mallory, Mason, Polk, Stuart, Toombs, Wright.

On motion by Mr. Broderick, that the Senate adjourn,

It was determined in the affirmative, { Yeas 21
Nays 19

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

— Messrs. Bell, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Biggs, Bigler, Bright, Clay, Fitch, Green, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Polk, Pugh, Toombs, Wright.

So the Senate adjourned.

MONDAY, MARCH 8, 1858.

Mr. Jones reported from the committee that they presented to the President of the United States, the 4th instant, the enrolled bill (H. R. 271) to enable the President of the United States to fulfil the stipulations contained in the third and sixth articles of the treaty between the United States and the king of Denmark, of the 11th of April, 1857, for the discontinuance of the Sound dues.

The Vice President laid before the Senate a letter of the Secretary of the Navy, accompanied by one hundred copies of the Navy Register for the current year, for the use of the Senate; which was read.

The Vice President laid before the Senate reports of the Court of Claims, made in pursuance of law, adverse to the claim of Charles D. Arfwedson; the claim of Nathaniel and Benjamin Goddard, executors of Nathaniel Goddard; the claim of Samuel D. Cozzens, trustee of Mary S. Cozzens, wife of Benjamin Cozzens; and the claim of Jacob Bigelow, administrator of François Cazeau; and a report of the Court of Claims in favor of the claim of Peter Parker, accompanied by a bill for the relief of Peter Parker.

Ordered, That they be referred to the Committee on Claims.

Mr. Hamlin presented a petition of citizens of Kansas, praying the establishment of a mail route between Lawrence, in that Territory, and Nebraska city, in the Territory of Nebraska; which was referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented the petition of Richard W. Clarke, praying additional compensation for extra services while a messenger in the Pension Office; which was referred to the Committee on Claims.

On motion by Mr. Seward,

Ordered, That the memorial of Alfred G. Benson, on the files of the Senate, be referred to the Committee on Claims.

Mr. Kennedy presented a memorial of the "Association of the Defenders of Baltimore in 1814," praying that pensions may be granted to the officers and soldiers of the last war with Great Britain; which was referred to the Committee on Pensions.

Mr. Wright presented a resolution of the legislature of New Jersey, in relation to the erection of a building at Trenton for the accom-

modation of the United States courts and the offices of the collector and postmaster of that city.

Ordered, That it be referred to the Committee on Commerce and be printed.

Mr. Thomson, of New Jersey, presented a petition of citizens of Trenton, New Jersey, praying the enactment of a law to change the name of the port of Lambertton to that of Trenton; which was referred to the Committee on Commerce.

Mr. Green presented a petition of Thomas D. W. Yonley and others, citizens of Missouri, praying to be protected in their location of certain lands in the Plattsburgh land district, in that State; which was referred to the Committee on Public Lands.

Mr. Jones presented a resolution of the legislature of Iowa, in favor of the erection of a marine hospital, custom-house, and post office, at Muscatine, in that State; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. Doolittle presented the memorial of B. D. Hills and others, praying the erection of a light-house at the mouth of Keewannee river, Wisconsin; which was referred to the Committee on Commerce.

Mr. Doolittle presented a memorial of the Milwaukie and Mississippi Railroad Company, praying the confirmation of their title to an island in the Mississippi river, opposite their depot at Prairie du Chien; which was referred to the Committee on Public Lands.

Mr. Bigler presented a petition of James Foster, James Craig, and others, praying the establishment of mail routes from Oregon, Missouri, to White Cloud, in Kansas; from White Cloud to Marysville; from Fort Des Moines, Iowa, to Fort Riley; and from White Cloud to Iowa Point; which was referred to the Committee on Post Offices and Post Roads.

Mr. Stuart presented the petition of Caleb Sherman, praying to be released from liability for public money received by him as collector of the customs for the district of Passo del Norte, Texas, and stolen while in his custody; which was referred to the Committee on Finance.

Mr. Stuart presented the memorial of James Bawden, praying that a patent may issue to him for certain lands embraced in the light-house reservation at Eagle harbor, Lake Superior, upon which he has made valuable improvements; which was referred to the Committee on Public Lands.

On motion by Mr. Stuart,

Ordered, That the memorial of J. M. Morrill, in behalf of the "Bangor City Greys" be recommitted to the Committee on Public Lands.

Mr. Hamlin presented additional papers in support of the claim of the "Bangor City Greys," to bounty land; which were referred to the Committee on Public Lands.

Mr. Brown presented the memorial of Pollard Webb, offering to sell to the United States a place in the District of Columbia known as "Meridian Hill," for a summer residence for the President of the United States; which was referred to the Committee on Public Buildings and Grounds.

Mr. Brown presented the petition of William R. Brownlee, a soldier in the war of 1812, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Brown presented the memorial of a committee of the levy court of Washington county, praying the passage of a law to simplify the mode of conveyancing in the District of Columbia ; which was referred to the Committee on the District of Columbia.

Mr. Brown presented the memorial of a committee of the levy court for the county of Washington, District of Columbia, praying an appropriation for certain roads in said county, upon certain conditions ; which was referred to the Committee on the District of Columbia.

Mr. Clay presented a memorial of underwriters of Boston, remonstrating against the repeal of the law creating the Light-house Board ; which was referred to the Committee on Commerce.

Mr. King presented a petition of citizens of New York, praying the enactment of a general relief law ; which was referred to the Committee on the Judiciary.

Mr. Johnson, of Arkansas, presented a petition of citizens of Arkansas, praying the establishment of a mail route from Little Rock to Hungary post office, in that State ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Johnson, of Arkansas, presented papers in relation to the claim of Edward Ingersoll, paymaster and military storekeeper at the Springfield armory, for the reimbursement of money paid for hack-hire for the armory commission of 1853 ; which were referred to the Committee on Military Affairs and the Militia.

Mr. Foster presented resolutions of the legislature of Connecticut, instructing the senators and requesting the representatives of that State in Congress to vote against the admission of another slaveholding State into the Union.

Ordered, That they lie on the table and be printed.

Mr. Broderick presented the memorial of William Cruickshank and others, praying permission to prosecute their claim to a certain tract of land in California before the United States district court for the northern district of California ; which was referred to the Committee on the Judiciary.

Mr. Seward submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Printing :

Resolved, That there be printed for the use of the Senate the usual number of copies of the letter of the Secretary of the Interior of the 26th January, 1858, with the accompanying report of J. Ross Browne, special agent of that department on the Pacific coast, and the letter of the Secretary of the Navy of 4th January, 1858, with report of offers for supplies for Bureau of Docks and Yards.

Mr. Kennedy submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Naval Affairs.

Resolved, That medical officers and pursers of the navy shall be, in relation to rank, on the same footing as officers of similar grades

in the army: *Provided*, That no medical officer or purser shall exercise command over any navy yard or vessel of the United States.

Mr. Kennedy submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the eligibility of Weverton, in Maryland, as a site for a national foundary.

Mr. Green submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be requested to furnish the Senate with a copy of the correspondence, reports, and other papers on file in his office, or the General Land Office, having relation to the cancelation of the locations which were made at the Plattsburg, Missouri, land office in the month of March, 1857, by Thomas D. W. Yonley and others, and the subsequent location of the same land by Messrs. McGlaughlin and Felix, of Pennsylvania, adding thereto the letter or report of the register and receiver of the 3d of March, 1857, in the contested case of Hardin and Jackson, and the commissioner's ruling and concurrence therein on the 21st of April thereafter; together with any other letter or paper which the Secretary may deem material to the proper understanding of the relative rights of the parties herein firstly alluded to.

Mr. Clay submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to communicate to the Senate any papers on file in the War Department connected with the Military Topographical Memoir and Report of Captain T. J. Cram, called for by resolution of the Senate of the 15th February.

Mr. Wilson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to consider the expediency of amending the laws for the punishment of persons enticing or carrying away any soldiers in the army of the United States.

Mr. Chandler submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate be instructed to request the Court of Claims to return to the Senate the papers of A. Weeks

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution directing the printing of twenty thousand copies of the opinions of the judges of the Supreme Court in the Dred Scott case, reported that the committee be discharged from the further consideration of the resolution; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the annual report of the Commissioner of Patents on arts and manufactures, with additional copies thereof, reported the following resolution:

Resolved, That there be printed, in addition to the usual number, ten thousand copies of the annual report of the Commissioner of Patents on arts and manufactures for the year 1857; eight thousand

of which for the use of the Senate, and two thousand for the Interior Department for the purposes of official distribution.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

An amendment being proposed by Mr. Wilson,

Ordered, That the further consideration of the resolution be postponed until to-morrow.

Mr. Jones reported from the committee that they had examined and found duly enrolled the joint resolution (S. 3) to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,'" in respect to dropped and retired naval officers.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Anna M. E. Ring, submitted a report, (No. 105,) accompanied by a bill (S. 185) for the relief of Anna M. E. Ring, Louisa M. Ring, Cordelia E. Ring, and Sarah J. De Lannoy.

The bill was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Ordered, That the report be printed.

Mr. Benjamin, from the Committee on Private Land Claims, to whom the papers relating to the claim of B. E. Edwards were referred, submitted a report, (No. 106,) accompanied by a bill (S. 186) to confirm the title of Benjamin E. Edwards to a certain tract of land in the Territory of New Mexico.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 176) to acquire certain lands needed for the Washington aqueduct, in the District of Columbia, reported it with amendments.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of A. W. McPherson, submitted a report, (No. 107,) accompanied by a bill (S. 187) for the relief of A. W. Macpherson.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Collamer, from the Committee on the Judiciary, to whom was referred the bill (S. 58) to authorize and direct the settlement of the accounts of Ross Wilkins, reported it without amendment.

Mr. Collamer, from the Committee on the Judiciary, to whom was referred the bill (S. 111) to alter the times for holding the circuit and district courts of the United States for the district of Vermont, reported the same without amendment.

The Senate proceeded to consider the last mentioned bill as in Com-

mittee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill (S. 173) for the relief of Mary Petery was read the second time and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time. *

The said bill was read a third time, by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed the consideration of the bill (S. 91) on its third reading, to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army ; and

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the following bills ; in which it requests the concurrence of the Senate :

H. R. 8. An act for the relief of John Hamilton ;

H. R. 307. An act to appropriate money to supply deficiencies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives of the thirty-third and thirty-fourth Congresses, and which has been executed.

The President of the United States approved and signed, the 10th of February, the following acts :

H. R. 3. An act making appropriations for the payment of invalid and other pensions of the United States for the year ending the thirtieth of June, eighteen hundred and fifty-nine.

H. R. 22. An act to alter the time of holding the courts of the United States for the State of South Carolina.

On the 18th of February :

A joint resolution (H. R. 12) making an appropriation for the payment of expenses of investigating committees of the House of Representatives.

On the first of March :

An act (H. R. 81) for the relief of Whitemarsh B. Seabrook and others ; and

On the 4th of March :

An act (H. R. 271) to enable the President of the United States to fulfil the stipulations in the 3d and 6th articles of the treaty between the United States and the king of Denmark of the 11th April, 1857, for the discontinuance of the Sound dues.

The Speaker of the House of Representatives having signed an enrolled resolution, (S. 3,) I am directed to bring it to the Senate for the signature of its President.

The bill (H. R. 307) this day received from the House of Representatives for concurrence was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and,

After debate, and the consideration, by unanimous consent, of executive business.

The Senate adjourned.

TUESDAY, MARCH 9, 1858.

The Vice President signed the enrolled resolution (S. 3) yesterday, reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The bill from the House of Representatives (H. R. 8) for the relief of John Hamilton was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Wilson presented additional evidence in support of the claim of Eliza G. Townsend to a pension; which was referred to the Committee on Pensions.

Mr. Foot presented a petition of citizens of Minnesota, praying the enactment of a law giving each actual settler a homestead of one hundred and sixty acres of land.

Ordered, That it lie on the table.

Mr. Houston presented resolutions of the legislature of Texas, in relation to affairs in Kansas.

Ordered, That they lie on the table and be printed.

Mr. Fitch presented the memorial of F. W. Lander, praying compensation for a reconnaissance made by him of a railroad route from Puget's Sound, *via* the South Pass, to the Mississippi river; which was referred to the Committee on Military Affairs and the Militia.

Mr. Bigler presented the memorial of James McCutcheon, an invalid pensioner, praying an increase of his pension; which was referred to the Committee on Pensions.

Mr. Trumbull submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to inform the Senate whether the island of Rock island, in the State of Illinois, is longer needed for military purposes, and, if not, whether any steps have been taken for disposition of the same.

Mr. Simmons, from the Committee on Claims, to whom was committed the bill (S. 121) for the relief of Sturgess, Bennet and Company, merchants of the city of New York, reported the same without amendment, and that it ought not to pass.

Mr. Harlan, from the Committee on Public Lands, to whom was referred the petition of citizens of Taylor county, Iowa, submitted an adverse report, (No. 110 ;) which was ordered to be printed.

Mr. Fessenden, from the Committee on Finance, to whom was referred the petition of Edward N. Kent, submitted a report, (No. 108,) accompanied by a bill (S. 188) for the relief of Edward N. Kent.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred the memorial of Rufus Dwinel, submitted a report, (No. 109,) accompanied by a bill (S. 189) for the relief of Rufus Dwinel.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate resumed the consideration of the bill (S. 122) for the relief of Captain Thomas Ap Catesby Jones; and, having been amended,

On motion by Mr. Stuart, that the bill be postponed indefinitely,

It was determined in the negative, { Yeas..... 11
Nays..... 29

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Biggs, Broderick, Foster, Green, Hamlin, Harlan, King, Slidell, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foot, Gwin, Hammond, Houston, Iverson, Jones, Kennedy, Mallory, Mason, Polk, Seward, Simmons, Toombs, Wilson, Yulee.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled resolution (S. 3) to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " in respect to dropped and retired naval officers.

The Senate resumed as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and

After debate, and the consideration of executive business,

The Senate adjourned.

WEDNESDAY, MARCH 10, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary :

To the Senate and House of Representatives :

I transmit herewith a report of the Attorney General, with accompanying papers, dated March 1, 1858, detailing proceedings under the act approved March 3, 1855, entitled "An act to improve the laws of the District of Columbia, and to codify the same."

JAMES BUCHANAN.

WASHINGTON, *March 9*, 1858.

The message was read.

The Vice President laid before the Senate a letter of the chief clerk of the Court of Claims, communicating in compliance with a resolution of the Senate, the petition and papers of Aaron Weeks, heretofore referred to the court by an order of the Senate ; which was read.

On motion by Mr. Chandler,

Ordered, That Aaron Weeks have leave to withdraw his petition and papers.

Mr. King presented the petition of John A. Pitts and Hiram A. Pitts, praying the renewal and extension of their patent for certain useful improvements in a machine for threshing and cleaning grain ; which was referred to the Committee on Patents and the Patent Office.

Mr. Seward presented three memorials of citizens of New York, and two memorials of citizens of Portland, Maine, remonstrating against the repeal of the act of Congress establishing the Light-house Board ; which were referred to the Committee on Commerce.

Mr. Seward presented a memorial of merchants and others residing in New York, and a memorial of merchants and others in the cities of New York and Brooklyn, praying that measures may be taken to ascertain the correctness of certain alleged discoveries of guano in Jarvis' and Baker's islands in the Pacific ocean, the quality of the guano, and its accessibility to merchant vessels ; which were referred to the Committee on Commerce.

Mr. Bigler presented three petitions of merchants and others, citizens of Philadelphia, praying the establishment of a line of mail steamers between that city and Brazil, touching at Savannah and certain places in the West Indies, as proposed by Thomas Rainey ; which were referred to the Committee on Post Offices and Post Roads.

Mr. Cameron presented a petition of citizens of Venango county, Pennsylvania, praying the establishment of a mail-route from Plumer post office to Titusville, in that State ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Fessenden presented a memorial of citizens of Brunswick, Maine, remonstrating against the repeal of the act of Congress establishing the Light-house Board ; which was referred to the Committee on Commerce.

Mr. Fessenden presented the petition of John Drout, a pensioner of the United States, praying that his pension may commence from the date of his discharge; which was referred to the Committee on Pensions.

Mr. Evans, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution submitted by Mr. Seward the 21st January, to authorize payment to be made, out of the contingent fund of the Senate, to the representatives of the late senators Butler, Rusk, and Bell, of New Hampshire, to the time of their death, reported it without amendment and submitted a report on the subject.

The Senate proceeded to consider the said resolution, by unanimous consent; and

The resolution was agreed to.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of Horace E. Dimick.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Alexander Hays, submitted an adverse report, (No. 113;) which was ordered to be printed.

On motion by Mr. Iverson,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of Ann E. T. Partridge, and the papers relating to the claim of Nannie Denman, and that they be referred to the Committee on Pensions.

On motion by Mr. Iverson,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the bill (S. 23) for the relief of Robert Dickson, of the Kentucky volunteers, and that it be referred to the Committee on Pensions.

Mr. Durkee, from the Committee on Private Land Claims, to whom was referred the petition of Daniel Whitney, submitted a report, (No. 111,) accompanied by a bill (S. 190) for the confirmation of a certain land claim in favor of Pierre Grignon or his legal representatives.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Brown, from the Committee on the District of Columbia, to whom were referred two memorials of the Board of Trustees of public schools in the city of Washington, and a memorial of citizens of Washington, submitted a report, (No. 112,) accompanied by a bill (S. 191) for the benefit of public schools in the city of Washington.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate resumed the consideration of the resolution reported from the Committee on Printing to print ten thousand copies, in addition to the usual number, of the Patent Office report for 1857; and,

On motion by Mr. Slidell, that the resolution be postponed indefinitely,

It was determined in the negative, { Yeas..... 16
Nays 26

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Biggs, Brown, Clay, Dixon, Evans, Fitch, Hammond, Hunter, Iverson, Mason, Pugh, Slidell, Thomson, of New Jersey, Toombs, Wade, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bigler, Bright, Broderick, Cameron, Chandler, Clark, Collamer, Durkee, Fessenden, Foot, Foster, Green, Hamlin, Harlan, Houston, Johnson, of Arkansas, Jones, Kennedy, King, Sebastian, Seward, Stuart, Trumbull, Wilson.

On motion by Mr. Iverson, to amend the resolution by striking out the word "ten" and inserting *two*, and also striking out the words "eight thousand of which for the use of the Senate, and two thousand"—

It was determined in the negative, { Yeas..... 16
Nays 26

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Biggs, Brown, Clay, Dixon, Evans, Fitch, Hammond, Harlan, Hunter, Iverson, Mason, Pugh, Slidell, Thomson, of New Jersey, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Durkee, Fessenden, Foot, Foster, Green, Hamlin, Houston, Johnson, of Arkansas, Jones, King, Sebastian, Seward, Stuart, Trumbull, Wilson, Wright,

The resolution having been amended on the motion of Mr. Wilson, was agreed to, as follows:

Resolved, That there be printed, in addition to the usual number, ten thousand copies of the annual report of the Commissioner of Patents on arts and manufactures for the year 1857; eight thousand of which for the use of the Senate, and two thousand for the Interior Department for the purposes of official distribution; and that the Secretary of the Interior be, and he is hereby, directed to cause the annual report of the Commissioner of Patents on mechanics hereafter to be made to the Senate to be prepared and submitted in such manner as that the plates and drawings necessary to illustrate each subject shall be inserted, so as to comprise the entire report in one volume, not to exceed eight hundred pages:

Mr. Yulee submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to consider the expediency of limiting the franking privilege of the executive and legislative departments on printed matter.

Mr. Yulee presented the petition of Joseph H. Wheat, a clerk in

the Post Office Department, praying to be allowed a certain amount of salary of which, he alleges, he was deprived without justice by the late Postmaster General; which was referred to the Committee on Post Offices and Post Roads.

Mr. Clay presented a petition of M. E. Bradley and others, citizens of the United States, and residents of the country known as the "Gadsden purchase," and of the southern portion of New Mexico, praying a separate territorial organization, under the name of Arizona; which was referred to the Committee on Territories.

Mr. Crittenden presented the petition of John Brest, praying an increase of pension; which was referred to the Committee on Pensions.

Mr. Jones presented a resolution of the legislature of Iowa, in favor of a law granting a homestead to actual settlers upon the public lands; which was referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 6) to extend to the naval retiring board an opportunity of enjoying the advantages of officers who have been dropped, furloughed, and retired by said board.

On motion by Mr. Houston,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 16th of March, at one o'clock.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and,

After debate,

On motion by Mr. Mason,

Ordered, That the further consideration thereof be postponed until to-morrow at half-past 12 o'clock, and be the order of the day.

On motion by Mr. Stuart, that the Senate adjourn,

It was determined in the negative, { Yeas..... 12
Nays 20

On motion by Mr. Jones,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Clark, Clay, Dixon, Doolittle, Durkee, Foster, Houston, Johnson, of Tennessee, Stuart, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Hammond, Harlan, Hunter, Iverson, Johnson, of Arkansas, Jones, Mason, Polk, Pugh, Sebastian, Thomson, of New Jersey, Toombs, Yulee.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, MARCH 11, 1858.

Mr. Brown presented a petition of residents of the city of Washington, in the District of Columbia, praying an appropriation for lighting Four-and-a-half street, in that city, with gas, from Pennsylvania avenue to the arsenal; which was referred to the Committee on the District of Columbia.

Mr. Mason presented the memorial of Alexander C. Good, in behalf of his wife, heir, and coheirs of John Swan, of Baltimore, deceased, praying indemnity for French spoliations prior to 1800.

Ordered, That it lie on the table.

On motion by Mr. Mason,

Ordered, That the petition of the legal representatives of James Purvis, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Doolittle presented the memorial of John Shaw, praying remuneration for losses sustained by him in furnishing six companies of rangers on the Mississippi with provisions, amunition, &c., during the last war with Great Britain; which was referred to the Committee on Military Affairs and the Militia.

Mr. Doolittle presented a memorial of the legislature of Wisconsin, in behalf of the claims of John Shaw, to pay for services as a spy or scout in the war of 1812, and compensation for losses sustained in furnishing supplies for the Missouri and Illinois mounted rangers during that war; which was referred to the Committee on Military Affairs and the Militia and ordered to be printed.

Mr. Cameron presented five petitions of citizens of Philadelphia, praying that the proposals of Thomas Rainey for carrying the mails between Philadelphia and Brazil, touching at Savannah and certain places in the West Indies, may be accepted; which were referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the petition of Theresa Dardenne, on the files of the Senate, be referred to the Committee on Public Lands.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the petition of George J. Knight, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Cameron,

Ordered, That the memorial of Mrs. A. P. Derrick, widow of William S. Derrick, on the files of the Senate, be referred to the Committee on Claims.

Mr. Harlan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to communicate to the Senate such information as his department affords in relation to the sale of Fort Crawford military reservation within the State of Iowa.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to

communicate to the Senate any information in possession of any of the executive departments in relation to alleged discoveries of guano in the year 1855, and the measures taken to ascertain the correctness of the same; and also any report made to the Navy Department in relation to the discovery of guano in Jarvis' and Baker's islands, with the charts, soundings, and sailing directions for those islands.

Mr. Fitch submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be requested to communicate to the Senate copies of all instructions from his department to the United States marshal for the district of Utah.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 307) to appropriate money to supply deficiencies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives of the thirty-third and thirty-fourth Congresses, and which has been executed, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The following bills were read the second time and considered as in Committee of the Whole:

S. 107. Bill for the relief of Ephraim Hunt;

S. 136. Bill for the relief of the heirs of John B. Hand; and

No amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were severally read the third time, by unanimous consent.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 307) to appropriate money to supply deficiencies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives of the thirty-third and thirty-fourth Congresses, and which has been executed.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 307,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 307) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States approved and signed, the 10th instant, an enrolled resolution (S. 3) to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " in respect to dropped and retired naval officers.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 307) to appropriate money to supply deficiencies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives of the thirty-third and thirty-fourth Congresses, and which has been executed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

On motion by Mr. Brown, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 20
Nays 19

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Brown, Cameron, Chandler, Clark, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foster, Harlan, Houston, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Biggs, Bigler, Clay, Green, Gwin, Hammond, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Wright, Yulee.

Whereupon the Senate adjourned.

FRIDAY, MARCH 12, 1858.

Mr. Gwin presented a resolution of the legislature of California, instructing the senators and requesting the representatives of that State in Congress to use their efforts to prevent the removal or change in the location of the Sebastian Indian reservation in California.

Ordered, That it be referred to the Committee on Indian Affairs and be printed.

Mr. Kennedy presented a petition of residents and property holders of Montgomery county, Maryland, praying that the plank road in the District of Columbia leading into that county may be made free of tolls; which was referred to the Committee on the District of Columbia.

Mr. Trumbull presented the petition of Webster S. Steele, a soldier in the war of 1812, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Hamlin presented resolutions of the legislature of the State of Maine, requesting the senators and representatives of that State in Congress to use their influence to prevent the repeal of the law allowing bounties to vessels engaged in the cod fisheries.

Ordered, That they lie on the table and be printed.

Mr. Cameron presented a petition of operatives and citizens of Blair county, Pennsylvania, praying that a sufficient protection be extended to American labor engaged in the manufacture of iron; which was referred to the Committee on Finance.

On motion by Mr. Foster,

Ordered, That the memorial of Emma A. Wood, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Jones presented a memorial of the register and receiver of the land office at Mineral Point, Wisconsin, praying that the compensation of registers and receivers may be increased; which was referred to the Committee on Public Lands.

Mr. Johnson, of Arkansas, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he is hereby, requested to furnish, for the information of the Senate, a statement of the progress of the report of Major W. H. Emory on the United States and Mexican boundary survey, together with the cost of engraving the maps, views, sections, &c., pertaining to this report, specifying the several classes of maps and illustrations, and the number in each class; and where those maps and illustrations are being executed, and by what authority; and who are now engaged upon the preparation of materials for the continuation of this report; how many volumes it will require to complete the work; at what time the compilation will be complete and prepared for delivery to the public printer; and an estimate for the approximate cost of publishing the entire work, if it be within his power, as ordered by the Senate and House of Representatives.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 8) for the relief of John Hamilton, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the bill be read a third time.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 41) for the relief of Manuel Leisa, Joachim Leisa, and others, and to provide for the location of certain private land claims, reported it with an amendment, and submitted a report, (No. 114,) which was ordered to be printed.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 192) to provide for the general introduction of an international code of marine signals; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of A. Waterhouse and others, reported a bill (S. 193) authorizing the issuing of certain bounty land warrants to the legal representatives of deceased persons entitled thereto; which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the memorial of James Bawden, reported a bill (S. 194) for the relief of James Bawden; which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of A. S. H. White, reported a bill (S. 195) for the relief of Ashton S. H. White; which was read and passed to a second reading.

Mr. Durkee, from the Committee on Private Land Claims, to whom were referred a memorial of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States, and the petition of Edson Sherwood and others, submitted a report, (No. 115,) accompanied by a bill (S. 196) authorizing the "Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States" to enter a certain tract of land in the State of Wisconsin.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clark asked and, by unanimous consent, obtained leave to bring in a bill (S. 197) providing for the arrest and return of fugitives from justice to the District of Columbia; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the resolution of the Senate (S. R. 5) to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain; and

It has passed the following bills; in which it requests the concurrence of the Senate:

H. R. 6. An act making appropriations for the consular and diplomatic expenses of the government for the year ending the 30th of June, 1859;

H. R. 65. An act for the relief of Thomas Smithers;

H. R. 208. An act for the relief of Alexander Stevenson;

H. R. 210. An act for the relief of the legal representatives or assignees of James Lawrence;

H. R. 212. An act for the relief of N. C. Weems, of Louisiana;

H. R. 213. An act for the relief of Francis Wlodecki;

H. R. 218. An act for the benefit of the captors of the British brig *Caledonia*, in the war of 1812;

H. R. 225. An act to increase the pension of John Richmond ;

H. R. 216. An act for the relief of Doctor Charles D. Maxwell, a surgeon in the United States navy.

The Vice President announced the appointment of Mr. Henderson as a member of the Committee on Post Offices and Post Roads, in the place of Mr. Thomson, of New Jersey, who was excused.

The Senate resumed the consideration of the resolution (S. R. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend 'An act to promote the efficiency of the navy,' " with the amendment of the House of Representatives thereto ; and, the amendment of the House of Representatives having been amended on the motion of Mr. Fessenden,

On motion by Mr. Benjamin,

Ordered, That the resolution lie on the table.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and

After debate,

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed until half-past twelve o'clock to-morrow.

The Senate adjourned.

SATURDAY, MARCH 13, 1858.

The bills yesterday received from the House of Representatives for concurrence were read the first and second times, by unanimous consent.

Ordered, That the bill No. 6 be referred to the Committee on Finance ; that the bill No. 218 be referred to the Committee on Naval Affairs ; that the bill No. 208 be referred to the Committee on Revolutionary Claims ; that the bill No. 65 and the bill No. 225 be referred to the Committee on Pensions ; that the bill No. 210 and the bill No. 213 be referred to the Committee on Public Lands ; and that the bill No. 212 be referred to the Committee on Private Land Claims.

Mr. Bright presented the petition of D. Meriwether, praying that an appropriation may be made for the payment of his salary as superintendent of Indian affairs in the Territory of New Mexico, from July 27, 1854, to April 30, 1857 ; which was referred to the Committee on Indian Affairs.

Mr. Houston presented a resolution of the legislature of Texas, requesting the senators and representatives of that State in Congress to use their best exertions to procure the enactment of a law for the payment to that State of the balance remaining in the treasury of the United States of the appropriation for the payment of a certain portion of the public debt of Texas ; which was referred to the Committee on Finance and ordered to be printed.

Mr. Hamlin presented the petition of Cynthia Coney, widow of Samuel Coney, a seaman in the navy in the last war with Great

Britain, praying to be allowed a pension, to date from the time of her husband's death; which was referred to the Committee on Pensions.

Mr. Bigler presented three petitions of citizens of Philadelphia, praying that the proposals of Thomas Rainey for carrying the mails by steamers between that city and Brazil, touching at Savannah and certain places in the West Indies, may be accepted; which were referred to the Committee on Post Offices and Post Roads.

Mr. Bigler presented the petition of George Chorpenning, praying remuneration for losses sustained by himself and Absalom Woodward, by Indian depredations, while carrying the mails from California to Salt Lake City, under contracts with the Post Office Department; which was referred to the Committee on Indian Affairs.

Mr. Cameron presented the petition of Charles Knap, praying payment for iron furnished, under contract with the Secretary of the Treasury, for the new custom-house at New Orleans; which was referred to the Committee on Claims.

On motion by Mr. Broderick,

Ordered, That the memorial of the Penny Post Company of California, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

Mr. Gwin presented the memorial of Arnold Harris and S. F. Butterworth, sureties of William G. Kendall, late postmaster at New Orleans, praying to be released from the payment of a judgment against them; which was referred to the Committee on Post Offices and Post Roads.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Joseph Hardy and Alton Long, submitted a report, (No. 116,) accompanied by a bill (S. 198) for the relief of Joseph Hardy and Alton Long.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The bill (S. 137) for the relief of the heirs at law of the late Abigail Nason, sister and devisee of John Lord, deceased, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 359) for the relief of Duncan Robertson; in which it requests the concurrence of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and

After debate,

On motion by Mr. Crittenden that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 20
 { Nays 18

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Collamer, Crittenden, Dixon,
 Doolittle, Fessenden, Foot, Foster, Hale, Harlan, King, Pugh, Sew-
 ard, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Fitch, Green,
 Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Ten-
 nessee, Kennedy, Mason, Polk, Sebastian, Slidell, Toombs.

Whereupon the Senate adjourned.

MONDAY, MARCH 15, 1858.

Mr. Brown presented a resolution of the corporation of Washing-
 ton, asking Congress to make an appropriation for opening and
 grading Massachusetts avenue from Twelfth street to the north-
 western boundary of the city; which was referred to the Committee
 on the District of Columbia.

Mr. Brown presented a resolution of the corporation of Washing-
 ton, in relation to lighting certain avenues and streets of that city
 with gas; which was referred to the Committee on the District of
 Columbia.

Mr. Collamer presented the memorial of Ebenezer Watson, praying
 an increase of his pension; which was referred to the Committee on
 Pensions.

Mr. Wright presented a petition of citizens of Patterson, New
 Jersey, praying the adoption of measures for the gradual and peaceful
 extinction of slavery.

Ordered, That it lie on the table.

Mr. Mason presented the petition of R. F. Mason, a passed assist-
 ant surgeon in the navy, praying that his pay may date from his ex-
 amination and not from the time of his commission; which was re-
 ferred to the Committee on Naval Affairs.

Mr. Johnson, of Tennessee, presented a petition of citizens of Fort
 Dodge, Iowa, and two petitions of citizens of Wisconsin, praying
 that the public lands may cease to be considered a source of public
 revenue, and that hereafter all entries thereof may be confined to ac-
 tual settlers only.

Ordered, That it lie on the table.

Mr. Sebastian presented a petition of citizens of Arkansas, praying
 the establishment of a mail-route from Fort Smith, in that State, to
 Albuquerque, in New Mexico; which was referred to the Committee
 on Post Offices and Post Roads.

Mr. Sebastian presented a petition of steamboat officers and citizens
 of Napoleon, Arkansas, praying the establishment of a board of in-
 spectors of steamboats at Memphis, Tennessee; which was referred
 to the Committee on Commerce.

Mr. Seward presented a petition of inhabitants of Yates county, New York, praying that a pension may be granted to Martha Brown, widow of a revolutionary soldier; which was referred to the Committee on Revolutionary Claims.

Mr. Seward presented resolutions of the New York State Agricultural Society, recommending that a grant of land be made to each of the several States and Territories of the Union, including the District of Columbia, for the maintenance and endowment of agricultural colleges therein; which were referred to the Committee on Public Lands.

Mr. Seward presented a petition of citizens of New York, praying that the public lands may be granted in farms or lots, free of cost, to actual settlers only.

Ordered, That it lie on the table.

Mr. Seward presented a resolution of the legislature of New York, instructing the senators and requesting the representatives of that State in Congress to use their influence to procure the enactment of a law granting pensions to the surviving soldiers of the Indian wars from 1791 to 1795, and to the widows of such as have died; which was referred to the Committee on Pensions and ordered to be printed.

Mr. Seward presented a resolution of the legislature of New York, instructing the senators and requesting the representatives of that State in Congress to urge the enactment of a law granting to the militia of the States arms and equipments of the most efficient patterns and in increased quantities, and also the enactment of a law to reorganize the militia system; which was referred to the Committee on Military Affairs and the Militia and ordered to be printed.

Mr. Foster presented the petition of Charlotte Taylor, only surviving child of the late William Scarborough, of Savannah, Georgia, praying some pecuniary acknowledgement for the great and lasting benefits which have resulted to the country from the enterprise and sacrifices of her father in causing to be constructed the first steamer that crossed the Atlantic; which was referred to the Committee on Claims.

On motion by Mr. Henderson,

Ordered, That the petition of Thomas W. Ward, on the files of the Senate, be referred to the Committee on Commerce.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the petition of citizens of Saint Louis county, Minnesota, and the petition of citizens of Copper Harbor, Lake Superior, respecting an agency for the Indian bands of Lake Superior.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the resolutions of the legislature of Texas, relative to the adoption of measures for the protection of the citizens of Texas against Indian depredations, presented February 16 and February 24; and the resolution of said legislature relative to the removal of Indians west of the Pecos river; and that the said resolutions be referred to the Secretary of War.

On motion by Mr. Fessenden,

Ordered, That the petition of the heirs of John W. Pray, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia be instructed to inquire into the expediency of abolishing the Military Asylum near Washington, D. C., and of resorting to some other means of providing for the inmates of that institution.

On motion by Mr. Hamlin,

Ordered, That the report of the Secretary of State, showing the number of passengers arriving in the United States on shipboard during the year 1857, communicated to the Senate February 16, be printed.

On motion by Mr. Hamlin,

Ordered, That the report of the Secretary of War, showing the contracts made by that department during the year 1857, communicated to the Senate February 10, be printed.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the memorial of Charles A. Kinkead, submitted a report, accompanied by a bill (S. 199) for the relief of Livingston Kinkead and Company; which was read and passed to a second reading.

Mr. Collamer asked and, by unanimous consent, obtained leave to bring in a bill (S. 200) in relation to the duties of postmasters; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Biggs asked and, by unanimous consent, obtained leave to bring in a bill (S. 201) to execute the treaties of 1817 and 1819 with the Cherokees by making provision for the reservations under the same; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of Jeremiah Y. Dashiell, submitted a report, (No. 117,) accompanied by a bill (S. 202) for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Doolittle, from the Committee on Indian Affairs, to whom was referred the memorial of David Gordon, submitted a report, (No. 118,) accompanied by a joint resolution (S. 21) devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1854.

The resolution was read and passed to a second reading.

Ordered, That the report be printed.

The bill (H. R. 359) for the relief of Duncan Robertson was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

The Senate proceeded to consider, as in Committee of the Whole,

the bill (S. 58) to authorize and direct the settlement of the accounts of Ross Wilkins, James Witherell, and Solomon Sibley; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Jones reported from the Committee that they had examined and found duly enrolled the bill (H. R. 8) for the relief of John Hamilton.

Mr. Brown reported from the Committee that they had examined and found duly enrolled the resolution (S. R. 5) to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (H. R. 8) and an enrolled resolution, (S. R. 5,) I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 8) and the enrolled resolution (S. R. 5) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Brown submitted the following resolution for consideration:

Resolved, That after to-day the Senate will meet at eleven o'clock and sit till five p. m., and then take a recess of two hours, until the bill now before the Senate is disposed of.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union.

After debate,

On motion by Mr. Stuart that the Senate adjourn,

It was determined in the negative,	Yeas.....	17
	Nays	23

On motion by Mr. Bigler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Crittenden, Doolittle, Fessenden, Foster, Hamlin, Harlan, Houston, King, Seward, Simmons, Stuart, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Clay, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

After further debate,

On motion by Mr. Trumbull, that the Senate adjourn,

It was determined in the negative, { Yeas..... 18
Nays 25

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Simmons, Stuart, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Crittenden, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

After further debate,

On motion by Mr. Simmons, that the Senate adjourn,

It was determined in the negative, { Yeas..... 13
Nays 22

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Chandler, Clark, Crittenden, Fessenden, Foster, Hale, Hamlin, Harlan, King, Pugh, Simmons, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Fitch, Green, Gwin, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

After further debate,

On motion by Mr. Chandler, that the Senate adjourn,

It was determined in the negative, { Yeas..... 14
Nays 24

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Broderick, that the Senate adjourn,

It was determined in the negative, { Yeas..... 15
Nays..... 23

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Wade, that the Senate adjourn,
The yeas were 6 and the nays 24.

On motion by Mr. Mason,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Broderick, Clark, Hamlin, King, Stuart, Wilson.

Those who voted in the negative are,
Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

The Vice President stated to the Senate, that the number of senators voting did not constitute a quorum of the Senate, but that, in the opinion of the Chair, a quorum of the Senate was present in the chamber; and directed the Secretary to call the names of those senators who had not voted.

The names of the senators having been called by the Secretary, it appeared that a quorum of the Senate was present; and

On the question to agree to the motion of Mr. Wade,

It was determined in the negative, { Yeas..... 15
Nays 24

Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Stuart, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Hale, that the Sergeant-at-arms be directed to request the attendance of absent senators.

A motion was made by Mr. Green, that this motion lie on the table.

Mr. Stuart raised a question of order, viz: That the motion of Mr. Green was not in order.

The Vice President decided that it was in order.

From this decision Mr. Stuart appealed.

After debate,

On motion by Mr. Pugh, that the appeal lie on the table,

It was determined in the affirmative, { Yeas 26
Nays 15

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clark, Fitch, Green, Gwin, Hale, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Dixon, Doolittle, Douglas, Foot, Foster, Hamlin, Harlan, King, Seward, Stuart, Trumbull, Wade, Wilson.

So it was

Ordered, That the appeal lie on the table.

On the question, to agree to the motion of Mr. Green, that the motion of Mr. Hale lie on the table,

It was determined in the affirmative, { Yeas..... 25
Nays 15

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Chandler, Fitch, Green, Gwin, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Broderick, Clark, Dixon, Doolittle, Douglas, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Trumbull, Wade, Wilson.

On motion by Mr. Wilson, that the further consideration of the bill be postponed until to-morrow, at half-past twelve o'clock,

It was determined in the negative, { Yeas..... 18
Nays 23

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Seward, that the Senate adjourn,

It was determined in the negative, { Yeas..... 18
Nays 22

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are.

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

After further debate,

On motion by Mr. Doolittle, that the Senate adjourn,

It was determined in the negative, { Yeas 11
Nays..... 21

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Doolittle, Foster, Hale, Hamlin, Harlan, Polk, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Foster, that the further consideration of the bill be postponed until half-past 12 o'clock to-morrow,

The yeas were 9 ; the nays 20.

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Clark, Doolittle, Fessenden, Foster, Hale, Hamlin, Polk, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

A quorum of the Senate not voting,

On motion by Mr. Hale that the Senate adjourn,

It was determined in the negative, { Yeas 15
Nays 20

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Fessenden Foster, Hale, Hamlin, Harlan, King, Polk, Seward, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Broderick, that the Senate take a recess until half-past eleven o'clock to-morrow,

The yeas were 9, and the nays 21.

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Foster, Hamlin, Harlan, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

A quorum of the Senate not voting,

On motion by Mr. Chandler, that the Senate adjourn,

It was determined in the negative, { Yeas 7
Nays 21

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Doolittle, Foster, Harlan,
Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch,
Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Ten-
nessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of
New Jersey, Toombs, Wright.

A quorum of the Senate not voting,

On motion by Mr. Toombs, that the Sergeant-at-arms be directed to
request the attendance of absent senators,

It was determined in the affirmative, { Yeas 21
Nays 7

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Fitch,
Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Ten-
nessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of
New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Doolittle, Foster, Hamlin, Harlan,
Wilson.

The Vice President thereupon directed the Sergeant-at-arms to
request the attendance of absent senators.

On motion by Mr. Doolittle, that the Senate adjourn,

It was determined in the negative, { Yeas 8
Nays 19

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Doolittle, Foster, Hamlin,
Harlan, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Ham-
mond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory,
Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs,
Wright.

A quorum of the Senate not voting,

On motion by Mr. Fessenden, that the Senate adjourn,

The President (Mr. Slidell in the chair) decided that this motion
was not in order.

From this decision Mr. Fessenden appealed.

On motion by Mr. Toombs, that the appeal lie on the table,

It was determined in the affirmative, { Yeas 20
Nays 9

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Clark, Doolittle, Fessenden, Foster, Hamlin, Harlan, Wilson.

A quorum of the Senate not voting,

On motion by Mr. Doolittle, that the Senate adjourn,

It was determined in the negative, { Yeas 16
Nays 22

On motion by Mr. Doolittle,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Doolittle, Fessenden, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Hammond, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Wilson, that the further consideration of the bill be postponed until to-morrow at half-past twelve o'clock,

It was determined in the negative, { Yeas 15
Nays 22

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Doolittle, Fessenden, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Hammond, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Chandler, that the Senate take a recess of six hours,

It was determined in the negative, { Yeas 12
Nays 22

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Doolittle, Foster, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Hammond, Houston, Johnson, of Arkansas, Johnson, of Ten-

nessee, Jones, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Wilson, that the Senate adjourn,

It was determined in the negative, { Yeas 14
Nays 20

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Doolittle, Fessenden, Foster, Hamlin, Harlan, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Hammond, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

So the motion by Mr. Wilson to adjourn was not agreed to.

On motion by Mr. Fessenden that the Senate proceed to receive the excuses of the senators who had been requested to attend.

A motion was made by Mr. Hale to amend the same by inserting, "and that excuses be received from all senators who have been absent at any time during the present session without leave of the Senate."

On motion by Mr. Pugh that the motion by Mr. Fessenden, with the amendment proposed by Mr. Hale, lie on the table,

The yeas were 27, and the nays 3.

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Biggs, Bigler, Broderick, Fessenden, Fitch, Green, Gwin, Hamlin, Hammond, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wilson, Wright.

Those who voted in the negative are,

Messrs. Clark, Dixon, Simmons.

A quorum of the Senate not voting.

On motion by Mr. Iverson that the Senate adjourn,

The yeas were 17, and the nays 17.

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Doolittle, Durkee, Fessenden, Foster, Hamlin, Harlan, Houston, Iverson, Kennedy, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Toombs, Wright.

The Senate being equally divided, the Vice President determined the question in the negative.

On motion by Mr. Broderick that the further consideration of the bill be postponed until to-morrow at half-past 11 o'clock,

It was determined in the negative, { Yeas 15
 { Nays 18

On motion of Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Doolittle, Durkee, Fessenden, Foster,
 Hamlin, Harlan, Houston, Iverson, King, Seward, Simmons, Trum-
 bull, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Biggs, Bigler, Fitch, Green, Gwin,
 Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones,
 Kennedy, Mallory, Polk, Pugh, Sebastian, Toombs, Wright.

On motion by Mr. Wilson,

The Senate adjourned.

TUESDAY, MARCH 16, 1858.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, copies of all instructions from that department to the United States marshal for the district of Utah ; which was read.

Ordered, That it be referred to the Committee on the Judiciary.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, a statement showing the action of the department in relation to the appropriation of five years' pay to the officers of the navy in the late republic of Texas ; which was read.

Ordered, That it lie on the table.

Mr. Harlan presented a paper in relation to the claim of Robert Hill to certain land in the Territory of Kansas ; which was referred to the Committee on Public Lands.

The bill (S. 167) for the relief of the owners of the barque Attica, of Portland, Maine, was read the second time and considered as in Committee of the whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 194) for the relief of James Bawden was read the second time and considered as in Committee of the Whole ; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

Mr. Fitch submitted the following resolution ; which was consid-

ered, by unanimous consent, and, having been amended, was agreed to, as follows.

Resolved, That the Committee on the Judiciary inquire into the expediency of defraying the expenses of holding the United States courts in the Territory of Utah, during the continuance of the present disturbance therein, under the limitations contained in existing laws in respect to fees out of the judiciary fund: *Provided*, That upon the restoration of peace in said Territory the expenses of said courts, while exercising jurisdiction under the territorial laws, shall be chargeable to the Territory, or to the proper counties therein, as in other Territories.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union; and,

After debate,

On motion by Mr. Stuart,

The Senate adjourned.

WEDNESDAY, MARCH 17, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with the resolutions of the Senate of February 15 and March 8, a copy of Captain T. J. Cram's military and topographical memoir and report and maps on the department of the Pacific, together with a letter from the Hon. I. I. Stevens and a report of Captain A. A. Humphreys on the character of that memoir; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The Vice President presented a memorial of the members and officers of the legislative assembly of the Territory of Utah setting forth their grievances and praying Congress to reconsider the course already taken, to respect their constitutional rights, withdraw the troops of the United States from the Territory, and give them a voice in the selection of their rulers; which was referred to the Committee on Territories and ordered to be printed.

Mr. Bigler presented a petition of the creditors of the late republic of Texas, praying that the Secretary of the Treasury may be authorized to distribute among the creditors who have filed their claims in pursuance of law, the balance of the appropriation made for the payment of those claims, now remaining in the treasury; which was referred to the Committee on Finance.

Mr. Seward presented the petition of Eliza E. Ogden, praying to be allowed a commission on certain disbursements made by her late husband, Major Edmund A. Ogden, while acting as assistant quartermaster in the army; which was referred to the Committee on Claims.

Mr. Wright presented the memorial of Lawrence Kearney, a captain in the United States navy, praying compensation for certain

expenses incurred and services rendered ; which was referred to the Committee on Naval Affairs.

On motion by Mr. Wright, that the memorial be printed.

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Kennedy,

Ordered, That the heirs of Joshua Barney have leave to withdraw their petition and papers.

Mr. Broderick presented a petition of residents of Klamath county, California, praying that the Pacific mail steamship company may be required to land the mails at Trinidad ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Green presented the petition of James H. Birch, jr., for himself and others, praying to be protected in their location of certain lands in the Plattsburg land district ; which was referred to the Committee on Public Lands.

On motion by Mr. Gwin,

Ordered, That the petition and papers of John Brown, on the files of the Senate, be referred to the Court of Claims.

Mr. Wright presented papers in support of the claim of Catherine Kellar to a pension for the services of her husband, Conrad Kellar, in the revolution ; which were referred to the Committee on Revolutionary Claims.

Mr. Wade presented resolutions of the Board of Trade of Cleveland, Ohio, in favor of an appropriation of public lands to aid in the construction of a ship canal around the falls of Niagara ; which were referred to the Committee on Commerce.

Mr. Harlan presented a memorial of the legislature of Iowa, praying a donation of land for the establishment of a scientific agricultural school in that State ; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Seward submitted the following resolution for consideration :

Resolved, That the use of desks for members ought to be dispensed with in the new Senate chamber.

Mr. Gwin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of selecting three sites for national foundries for the manufacture of canon projectiles and other castings for the service of the United States, one of said sites to be east and one west of the Alleghany range of mountains, and the third in the State of California.

On motion by Mr. Gwin, and by unanimous consent,

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing the following post routes in the State of California, viz :

From Sacramento city, by Davis' Ranch, Putah, Vacaville, Suisan city, Sonoma, to Petuluma, in Sonoma county ;

From Belmont, by Purcel's store, and Piscadary and Williams' Landing, to Santa Cruz, in Santa Cruz county ;

From Croville, by Bedwill's bar, Peaville, Brush creek, Meadow valley, to Quincy, in Plumas county ;

From Jackson to Volcano, in Amadore county ;

From Sacramento city, by Washington, Cashville, Cache creek, Yolo city, and Cañon, to Clear lake, Napa county ,

From Sacramento city, by Omsleo and Walnut Grove, to Georgiana Slough, in Sacramento county ;

From Mokelumne Hill, by Rich Gulch, to West Point, in Calaveras county ;

From Knight's Ferry, by Lagrange, to Homlas, Mariposa county ;

From Nevada city, by Alpha, to Washington, Nevada county.

On motion by Mr Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the memorial of the legislature of Iowa in relation to indemnity for expenses of the State in the Sioux outbreak in 1857, and that it be referred to the Committee on Military Affairs and the Militia.

Mr. Wilson, from the Committee on Revolutionary Claims, to whom was referred the petition of the legal representatives of Charles Porterfield, deceased, submitted a report, (No. 119,) accompanied by a bill (S. 203) for the relief of the legal representatives of Charles Porterfield, deceased.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Wilson asked and, by unanimous consent, obtained leave to bring in a bill (S. 204) to provide for issuing patents in certain cases where grants of the public lands have been made by Congress ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the memorial of Susannah Hayne Pinckney, submitted a report, (No. 120,) accompanied by a bill (S. 205) for the relief of Susannah Hayne Pinckney, sole heir of Captain Richard Shubrick.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the memorial of the heirs of Colonel Samuel Hammond, submitted an adverse report, (No. 123 ;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the memorial of Jane M. Kean, Mary A. Reynolds, and Catharine E. Kean, submitted an adverse report, (No. 124 ;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Sarah Smith Stafford, submitted an adverse report, (No. 122 ;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred a petition of lieutenants in the United States revenue marine service, submitted a report, (No. 121,) accompanied by a bill (S. 206) increasing the pay of certain officers of revenue cutters, while serving in the navy of the United States.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the memorial of Douglass Ottinger, and that it be referred to the Committee on Commerce.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the papers relating to the application of Commander Thomas J. Page and other naval officers of the La Plata exploring expedition for extra pay.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed a resolution (H. R. 19) respecting the distribution of certain public documents, and a resolution for the adjournment of Congress, in which it requests the concurrence of the Senate.

The Senate resumed the consideration of the resolutions submitted by Mr. Douglas the 4th of February, relative to the elections in Kansas ; and

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the resolution submitted by Mr. Wilson the 15th February, calling for the instructions to the honorable Richard K. Meade, United States minister to Brazil ; and

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S 151) further to amend the act entitled " An act to incorporate the Provident Association of Clerks in the civil departments of the Government of the United States in the District of Columbia," was read the second time and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

On motion by Mr. Seward,

The Senate adjourned.

THURSDAY, MARCH 18, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate,

information in relation to Rock Island, in the State of Illinois, and its use as a military reservation ; which was read.

Ordered, That it lie on the table.

Mr. Wade presented additional evidence in support of the claim of S. W. and A. A. Turner ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Bigler presented the petition of Ann L. Rogers, wife and assignee of John A. Rogers, praying compensation for his services as examiner of the land offices in the States of Alabama and Mississippi ; which was referred to the Committee on Claims.

Mr. Kennedy presented a memorial of merchants of Baltimore, remonstrating against the repeal of the law establishing the Lighthouse Board ; which was referred to the Committee on Commerce.

Mr. Benjamin presented the memorial of B. F. Simms and Arthur Barbarin, inventors of an electro-magnetic fog bell, praying an appropriation to test its practicability and usefulness ; which was referred to the Committee on Naval Affairs.

Mr. Seward presented a petition of citizens of the State of New York, praying that pensions may be granted to those who served in the war of 1812, and to the widows of those who have died ; which was referred to the Committee on Pensions.

On motion by Mr. Seward,

Ordered, That the letter of T. J. Bowen, on the files of the Senate, in relation to the exploration of the river Niger, in Africa, be referred to the Committee on Commerce.

On motion by Mr. Wilson,

Ordered, That the Senate take a recess to-day, from half-past four to seven o'clock.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of John Hastings, submitted a report, (No. 125,) accompanied by a bill (S. 207) for the relief of John Hastings, collector of the port of Pittsburg.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Collamer, from the Committee on the Judiciary, to whom was referred a report of the Secretary of the Interior on the subject, submitted a report, accompanied by a joint resolution (S. 22) providing for the payment of certain expenses of holding the United States courts in the Territory of Utah.

The resolution (S. 22) was read the first and second times, by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the secretary request the concurrence of the House of Representatives therein.

The resolution (H. R. 19) respecting the distribution of certain public documents was read the first and second times, by unanimous consent, and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That the resolution be read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Wilson,

Ordered, That the petition of Sarah Smith Stafford, with the adverse report thereon, be recommitted to the Committee on Revolutionary Claims.

Mr. Gwin submitted the following resolution for consideration :

Resolved, That the Secretary of War be requested to communicate to the Senate what steps have been taken, if any, to punish the parties implicated in the massacre of one hundred and eighteen emigrants to California, at the Mountain Meadows, in the Territory of Utah.

The Senate proceeded, by unanimous consent, to consider the said resolution ; and,

On motion by Mr. Foot,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Jones reported from the committee that they presented to the President of the United States, the 16th instant, the following enrolled resolution and bill :

S. 5. A resolution to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain ;

H. R. 8. An act for the relief of John Hamilton.

A message from the President of the United States, by Mr. Henry, his secretary :

Mr. President : The President of the United States approved and signed, the 16th instant, a resolution (S. 5) to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

The Senate took a recess until seven o'clock p. m.

SEVEN O'CLOCK P. M.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

On motion by Mr. Fessenden,
The Senate adjourned.

FRIDAY, MARCH 19, 1858.

The Vice President presented resolutions of the legislative assembly of the Territory of New Mexico, in favor of the organization of the Territory of Arizona, and the removal of the Indian tribes in the Territory of New Mexico to that part of the proposed Territory of Arizona north of the 34th parallel of north latitude; which were referred to the Committee on Territories.

On motion by Mr. Green, that the resolutions be printed,

Ordered, That they be referred to the Committee on Printing.

Mr. Seward presented a petition of citizens of the town of Dix, New York, praying the adoption of some practical measure for the peaceful and gradual extinction of slavery, by which compensation shall be made out of the national treasury, or the public domain, to the owners of slaves that may be manumitted.

Ordered, That it lie on the table.

Mr. Doolittle presented a memorial of the legislature of Wisconsin, praying that the amount due to the State under the act for its admission into the Union, from the proceeds of the sales of the public lands within its limits, may be paid; which was referred to the Committee on the Judiciary and ordered to be printed.

Mr. Mallory presented the petition of Bowne and Curry, praying to be allowed a portion of the money paid as duties on certain coal saved from the barque Rainbow, which was stranded upon the Florida reef; which was referred to the Committee on Commerce.

Mr. Johnson, of Tennessee, presented a petition of citizens of Washington county, Texas, praying that the public lands may no longer be considered as a source of public revenue, but be subject to entry, hereafter, by actual settlers and cultivators only.

Ordered, That it lie on the table.

The Senate resumed the consideration of the resolution submitted yesterday by Mr. Gwin, in relation to the massacre of emigrants at Mountain Meadow, in the Territory of Utah; and

The resolution was agreed to.

The bill (H. R. 216) for the relief of Doctor Charles D. Maxwell, a surgeon in the United States navy, was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the bill be read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 23) to authorize a change of location of the South Pass wagon road, for the purpose of giving greater security and protection to emigrant travel; which was read the first and second times, by unanimous consent, and referred, with the accompanying papers, to the Committee on Territories.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Fabius Stanley, submitted a report, (No. 126,) accompanied by a bill (S. 208) for the relief of Fabius Stanley.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Joseph C. G. Kennedy, submitted a report, (No. 127,) accompanied by a bill (S. 209) for the relief of Joseph C. G. Kennedy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bill and joint resolution :

H. R. 216. An act for the relief of Doctor Charles D. Maxwell, a surgeon in the United States navy ;

H. R. 19. Joint resolution respecting the distribution of certain public documents.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed a bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontier of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers ; in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill (H. R. 216) and an enrolled resolution, (H. R. 19,) I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 216) and the enrolled resolution, (H. R. 19,) and they were delivered to the committee to be presented to the President of the United States.

On motion by Mr. Wilson,

Ordered, That when the Senate adjourn it be to 11 o'clock to-morrow morning.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

On motion by Mr. Wilson,

Ordered, That the bill be the special order of the day at 11 o'clock to-morrow morning.

Whereupon the Senate adjourned.

SATURDAY, MARCH 20, 1858.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred a message of the President of the United States, communicating a decree and regulation made by the commissioner of the United States in China, the 4th of March, 1857, submitted a report, accompanied by the following resolution :

Resolved, That no revision by Congress of the decree and regulation made by Peter Parker, commissioner of the United States in China, on the 4th March, A. D. 1857, entitled "Regulations for the consular courts of the United States of America in China," is requisite.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and

After debate,

On motion by Mr. Wilson,

The Senate took a recess until seven o'clock p. m.

SEVEN O'CLOCK P. M.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 216) for the relief of Doctor Charles D. Maxwell, a surgeon in the United States navy, and the enrolled resolution (H. R. 19) respecting the distribution of certain public documents.

On motion by Mr. Green,

Ordered, That when the Senate adjourn it be to meet at 10 o'clock on Monday morning.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and

After debate,

On motion by Mr. Green,

Ordered, That the further consideration of the bill be postponed to, and be made the special order of the day for, Monday, at 10 o'clock.

On motion by Mr. Stuart,

The Senate adjourned.

MONDAY, MARCH 22, 1858.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating the report of John Claiborne, appointed by the Commissioner of Patents special agent to collect information upon the consumption of cotton in Europe ; which was read.

Ordered, That it lie on the table.

Mr. Broderick presented the memorial of Andrew Glassell, praying compensation for services as assistant United States district attorney for the northern district of California, in the year 1856 ; which was referred to the Committee on the Judiciary.

The bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontier of Texas, and to

authorize the President to call into the service of the United States four additional regiments of volunteers, was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and

After debate,

On motion by Mr. Green,

Ordered, That the Senate take a recess until seven o'clock.

SEVEN O'CLOCK IN THE EVENING.

On motion by Mr. Gwin, and by unanimous consent,

Ordered, That the ladies be allowed to occupy, for this evening, the privileged seats in the Senate chamber.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

On motion by Mr. Stuart,

The Senate adjourned.

TUESDAY, MARCH 23, 1858.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 210) to create additional land districts in the State of California, and for other purposes ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Benjamin submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Printing :

Resolved, That there be printed, for the use of the Senate, ten thousand copies of the report of John Claiborne on the subject of the manufacture and consumption of cotton, transmitted to the Senate by the Secretary of the Interior.

Mr. Seward presented three petitions of citizens of the State of New York, praying that pensions may be granted to the soldiers of the war of 1812, and to the widows of those deceased ; which were referred to the Committee on Pensions.

Mr. Hamlin presented the petition of Ebenezer Ballard and Rishworth Jordan, seamen on board of the United States ship Adams in the war of 1812, for themselves and other seamen in that ship, praying indemnity for clothing, bedding, and other property destroyed by the blowing up of the ship, and also to be allowed their share of prize money for captures made by that ship ; which was referred to the Committee on Claims.

Mr. Hale presented the petition of Lydia Weeks, praying to be allowed the pension to which her husband, Jedediah Weeks, was entitled at the time of his death; which was referred to the Committee on Pensions.

Mr. Harlan presented a petition of residents of Johnson county, Iowa, praying the establishment of a mail route from Iowa City to Des Moines City, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Cameron submitted the following motion; which was considered, by unanimous consent, and agreed to:

Ordered, That the memorial and papers of the heirs of General Henry Miller, delivered by the Clerk of the House of Representatives to the Secretary of the Senate by order of that House of the 16th instant, be referred to the Committee on Revolutionary Claims.

The Senate resumed the consideration of the resolution reported by the Committee on Printing, in favor of printing the report of the Superintendent of the Coast Survey with additional copies thereof; and

The resolution, having been amended on the motion of Mr. Pearce, was agreed to, as follows:

Resolved, That, in addition to the usual number of copies of the report of the Superintendent of the Coast Survey Office for the year 1857, there be printed six thousand two hundred copies, twelve hundred of which for the use of the Senate, and five thousand copies thereof for distribution by the Superintendent of the Coast Survey, under the direction of the Secretary of the Treasury; and that the same be printed and bound, with the plates, in quarto form; and that the printing of said plates shall be done to the satisfaction of the Superintendent of the Coast Survey.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 161) for the admission of the State of Kansas into the Union.

On motion by Mr. Green, to amend the bill, section 2, line 9, after the word "State," insert:

And that nothing in this act shall be construed to abridge or infringe any right of the people (as asserted in the constitution of Kansas) at all times to alter, reform, or abolish their form of government in such manner as they may think proper, Congress hereby disclaiming any authority to intervene or declare the construction of the constitution of any State, except to see that it be republican in form, and not in conflict with the Constitution of the United States.

It was determined in the affirmative, { Yeas..... 31
Nays 23

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

On motion by Mr. Pugh, to amend the bill by inserting the following:

SEC. 4. *And be it further enacted, That from and after the admission of the State of Kansas, as hereinbefore provided, all the laws of the United States which are not locally inapplicable shall have the same force and effect within that State as in other States of the Union. And the said State is hereby constituted a judicial district of the United States, within which a district court, with the like powers and jurisdiction as the district court of the United States for the district of Iowa, shall be established; the judge, attorney, and marshal of the United States for the said district of Kansas, shall reside within the same, and shall be entitled to the same compensation as the judge, attorney, and marshal of the district of Iowa.*

It was determined in the affirmative, { Yeas..... 37
Nays 19

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Clay, Crittenden, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Clark, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Sumner, Trumbull, Wade, Wilson.

On motion by Mr. Crittenden, to amend the bill by striking out all after the enacting clause and inserting:

That the State of Kansas be, and is hereby, admitted into the Union on an equal footing with the original States in all respects whatever; but, inasmuch as it is greatly disputed whether the constitution with which Kansas is now admitted was fairly made, or expresses the will of the people of Kansas, this admission of her into the Union as a State is here declared to be upon this fundamental condition precedent, namely: that the said constitutional instrument shall be first submitted to a vote of the people of Kansas, and assented to by them or a majority of the voters, at an election to be held for the purpose; and as soon as such assent shall be given and duly made known to the President of the United States, he shall announce the same by proclamation; and thereafter, and without any further proceedings on the part of Congress, the admission of the said State of Kansas into the Union on an equal footing with the original States in all respects whatever shall be complete and absolute. At said election the voting shall be by ballot, and by endorsing

on his ballot, as each voter may please, "for the constitution" or "against the constitution." Should the said constitution be rejected at said election, by the majority of votes being cast against it, then, and in that event, the inhabitants of said Territory (Kansas) are hereby authorized and empowered to form for themselves a constitution and State government, by the name of the State of Kansas, preparatory to its admission into the Union, according to the Federal Constitution, and to that end may elect delegates to a convention, as hereinafter provided for.

SEC. 2. And be it further enacted, That the said State of Kansas shall have concurrent jurisdiction on the Missouri and all other rivers and waters bordering on the said State of Kansas, so far as the same shall form a common boundary to said State and any other State or States now or hereafter to be formed or bounded by the same; and said river and waters, and all the navigable waters of said State, shall be common highways, and forever free, as well to the inhabitants of said State as to all other citizens of the United States, without any tax, duty, impost, or toll, therefor.

SEC. 3. And be it further enacted, That, for the purpose of insuring, as far as possible, that the elections authorized by this act may be fair and free, the governor and secretary of the Territory of Kansas, and the presiding officers of the two branches of its legislature, namely, the president of the council and speaker of the house of representatives, are hereby constituted a board of commissioners to carry into effect the provisions of this act, and to use all the means necessary and proper to that end. Any three of them shall constitute a board, and the board shall have power and authority, in respect to each and all the elections hereby authorized or provided for, to designate and establish precincts for voting, or to adopt those already established; to cause polls to be opened at such places as it may deem proper in the respective counties and election precincts of said Territory; to appoint as judges of election at each of the several places of voting three discreet and respectable persons, any two of whom shall be competent to act; to require the sheriffs of the several counties, by themselves or deputies, to attend the judges at each of the places of voting, for the purpose of preserving peace and good order; or the said board may, instead of said sheriffs and their deputies, appoint, at their discretion, and in such instances as they choose, other fit persons for the same purpose. And when the purpose of the election is to elect delegates to a convention to form a constitution, &c., as hereinbefore provided for, the number of delegates shall be sixty, and they shall be apportioned by said board among the several counties of said Territory according to the number of voters; and in making this apportionment, the board may join two or more counties together, to make an election or representative district, where neither of said counties has the requisite number of voters to entitle it to a delegate, or to join a smaller to a larger county, having a surplus population, where it may serve to equalize the representation. The elections hereby authorized shall continue one day only, and shall not be continued later than sundown on that day. The said board shall appoint the day of election for each of the elections hereby authorized, as the same may become necessary. The said governor shall announce by proclamation

the day appointed for any one of said elections; and the day shall be as early a one as is consistent with due notice thereof to the people of said Territory, subject to the provisions of this act. The said board shall have full power to prescribe the time, manner, and places, of each of said elections, and to direct the time and manner of the returns thereof, which returns shall be made to said board, whose duty it shall be to announce the result by proclamation, and to appoint therein as early a day as practicable for the delegates elected (where the election has been for delegates) to assemble in convention at the seat of government of said Territory. When so assembled, the convention shall first determine, by a vote, whether it is the wish of the people of the proposed State to be admitted into the Union at that time, and if so, shall proceed to form a constitution and take all necessary steps for the establishment of a State government in conformity with the Federal Constitution, subject to the approval and ratification of the people of the proposed State; and the said convention shall accordingly provide for its submission to the vote of the people for approval or rejection.

SEC. 4. And be it further enacted, That in the elections hereby authorized, all white male inhabitants of said Territory over the age of twenty-one years, who have been residents for three months before the election, and are citizens of the United States, and none others, shall be allowed to vote; and this shall be the only qualification required to entitle the citizen to the right of suffrage in said elections.

SEC. 5. And be it further enacted, That the members of the aforesaid board of commissioners, and all persons appointed by them to carry into effect the provisions of this act, shall, before entering upon their duties, take an oath to perform faithfully the duties of their respective offices, and on failure thereof they shall be liable and subject to the same charges and penalties as are provided in like cases under the territorial laws.

SEC. 6. And be it further enacted, That the officers mentioned in the preceding section shall receive for their services the same compensation as is given for like services under the territorial laws.

SEC. 7. And be it further enacted, That said State of Kansas, when her admission as a State becomes complete and absolute, shall be entitled to one member in the House of Representatives of the Congress of the United States till the next census be taken by the federal government.

SEC. 8. And be it further enacted, That the following propositions be, and the same are hereby, offered to the said people of Kansas for their free acceptance or rejection, which, if accepted, shall be obligatory on the United States and upon the said State of Kansas, to wit:

First. That sections numbered sixteen and thirty-six in every township of public lands in said State, and where either of said sections, or any part thereof, has been sold or otherwise been disposed of, other lands, equivalent thereto, and as contiguous as may be, shall be granted to said State for the use of schools.

Second. That seventy-two sections of land shall be set apart and reserved for the use and support of a State university, to be selected by the governor of said State, subject to the approval of the Commissioner of the General Land Office, and to be appropriated and applied in such manner as the legislature of said State may prescribe for the purpose aforesaid, but for no other purpose.

Third. That ten entire sections of land, to be selected by the governor of said State, in legal subdivisions, shall be granted to said State for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the legislature thereof.

Fourth. That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining or as contiguous as may be to each, shall be granted to said State for its use; the same to be selected by the governor thereof within one year after the admission of said State, and when so selected, to be used or disposed of on such terms, conditions, and regulations, as the legislature shall direct: Provided, That no salt spring or land, the right whereof is now vested in any individual or individuals, or which may be hereafter confirmed or adjudged to any individual or individuals, shall, by this article, be granted to said State.

Fifth. That five per centum of the net proceeds of sales of all public lands lying within said State, which shall be sold by Congress after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State, for the purpose of making public roads and internal improvements, as the legislature shall direct: Provided, The foregoing propositions herein offered are on the condition that the people of Kansas shall provide, by an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof; and that no tax shall be imposed on lands belonging to the United States, and that in no case shall non-resident proprietors be taxed higher than residents.

Sixth. And that the said State shall never tax the lands or other property of the United States in that State.

It was determined in the negative, { Yeas..... 24
Nays 34

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Kennedy, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Durkee, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

The bill having been further amended was reported to the Senate, and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas..... 33
Nays 25

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pugh, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

So it was

Resolved, That the bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Gwin, that the Senate proceed to the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California;

On motion by Mr. Hamlin,

The Senate adjourned.

WEDNESDAY, MARCH 24, 1858.

The Vice President laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, a statement of allowances made to distributing and separating offices, by order of the Postmaster General under an act approved June 22, 1854, to regulate the pay of deputy postmasters; which was read.

Ordered, That it be referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented a resolution of the legislature of New York, declaring its opposition to the admission of Kansas into the Union as a State under the Lecompton constitution, or any other constitution which shall not have been, in all its parts, fairly submitted to the legal voters of the Territory and received their sanction and approval; which was read.

Ordered, That it lie on the table and be printed.

Mr. Seward presented the petition of P. O. Beebee, praying the aid of Congress in publishing an analysis of American law, of which he is the author; which was referred to the Committee on the Library.

Mr. Seward presented a petition of citizens of Minden, New York, praying the enactment of a law granting pensions to the soldiers of the war of 1812, and the widows of such as have died; which was referred to the Committee on Pensions.

Mr. Seward presented a petition of citizens of Albany, New York, praying that a quarter section of land, in the proposed Territory of Arizona, may be granted to each actual settler, including the right to the minerals in the soil; which was referred to the Committee on Public Lands.

Mr. Seward presented the petition of John J. Rink, praying Congress to purchase the right to use certain improvements made by him in the construction of sub-marine masonry and in ship building; which was referred to the Committee on Naval Affairs.

Mr. Seward presented the petition of Joseph G. Heaton, praying to be allowed pay and bounty land for services in the war of 1812; which was referred to the Committee on Pensions.

Mr. Seward presented a petition of citizens of New York, praying the passage of a general relief bill; which was referred to the Committee on the Judiciary.

Mr. Seward presented the petition of William B. Whiting, of the United States navy, praying an amendment of the pension and bounty land laws; which was referred to the Committee on Pensions.

Mr. Slidell presented a memorial of merchants of New Orleans, remonstrating against the repeal of the law establishing the Light-house Board; which was referred to the Committee on Commerce.

Mr. Bigler presented the petition of Findley Patterson, praying to be allowed payment for work done in the erection of the capitol building at Lecompton, in Kansas, under a contract with the governor of the Territory, and indemnity for losses sustained in consequence of the suspension of the work; which was referred to the Committee on Claims.

Mr. Doolittle presented three petitions of citizens of Michigan, praying the enactment of a general relief law; which were referred to the Committee on the Judiciary.

Mr. Durkee presented a memorial of the legislature of Wisconsin, praying the enactment of a law which will secure the payment of the amount due that State arising from the sale of the public lands therein; which was referred to the Committee on the Judiciary.

Mr. Kennedy presented a memorial of the "Numismatic Society," of Philadelphia, praying the establishment of a medal department at the mint of the United States; which was referred to the Committee on the Library.

On motion by Mr. Gwin,

Ordered, That J. J. Petrie have leave to withdraw the papers on file relating to his claim.

Mr. Hunter submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested, if it be, in his judgment, not incompatible with the public interest, to communicate to the Senate the correspondence between the government of Chil  and that of the United States, and other documents on file in the Department of State, in relation to the seizure, by the authorities of Chil , at Sitana, in Peru, of the proceeds of the cargo of the brig Macedonian, the property of citizens of the United States.

Mr. Foot submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation of the sum of seven thousand dollars, to fence and grade the grounds and to finish the building erected at Burlington, Vermont, for a custom-house and post office.

Mr. Foot also submitted a paper on the subject ; which was referred to the Committee on Commerce.

Mr. Fitch submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of suspending the territorial laws of Utah during the present difficulties in that Territory, and reporting, in lieu of the laws thus suspended, such temporary laws as the present exigency in the Territory requires.

Mr. Fitch presented a volume of the revised laws of the Territory of Utah ; which was referred to the Committee on the Judiciary.

Mr. Houston submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Court of Claims be requested to return to the Senate the petition and papers of James Myer, withdrawn from the files of the Senate and referred to that Court under the resolution of the Senate of December 20, 1855.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the petition of J. W. Brown, submitted an adverse report.

The Senate proceeded to consider the report ; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the petition.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of William F. Russell, submitted an adverse report, (No. 131 ;) which was ordered to be printed.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom were referred the papers relating to the claim of Captain George E. McClelland's company of Florida volunteers, reported—

That the committee be discharged from the further consideration of the subject ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution to print and bind the addresses made

by the members of the Senate and the House of Representatives on the occasion of the death of the honorable James Bell, the honorable A. P. Butler, and the honorable Thomas J. Rusk, reported adversely thereon, and that the committee be discharged from the further consideration of the subject.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of Robert A. Wainwright, submitted an adverse report, (No. 132 ;) which was ordered to be printed.

Mr. Hammond, from the Committee on Naval Affairs, to whom was referred the petition of Martin Hubbard, submitted an adverse report, (No. 133 ;) which was ordered to be printed.

On motion by Mr. Brown,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the petition of citizens of Washington, District of Columbia, and the resolution of the corporation of Washington, in relation to lighting certain streets in that city with gas ; joint resolution of the same, in relation to opening and grading Massachusetts avenue ; and a memorial of a committee of the levy court for the county of Washington, in the District of Columbia, asking an appropriation for certain roads in said county, on certain conditions.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Mary B. Renner, submitted an adverse report, (No. 130 ;) which was ordered to be printed.

Mr. Mason asked and, by unanimous consent, obtained, leave to bring in a joint resolution (S. 24) authorizing Lieutenant William N. Jeffers to accept a sword of honor from her Majesty the queen of Spain ; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of H. O'Reilly, J. J. Speed, and T. P. Shaffner, submitted a report, (No. 128,) accompanied by a bill (S. 211) to facilitate communication with the army in Utah.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 197) providing for the arrest and return of fugitives from justice in the District of Columbia, reported it without amendment.

Mr. Simmons, from the Committee on Claims, to whom was referred the petition of Joseph C. G. Kennedy, relative to the salary of the Secretary of the Census Board, submitted a report, (No. 129,) accompanied by a bill (S. 212) for the relief of Joseph C. G. Kennedy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay, who was temporarily appointed a member of the Committee on Territories during the indisposition of Mr. Fitzpatrick, was excused from further service on that committee.

On motion by Mr. Clay,

Ordered, That the Vice President appoint a member to fill the vacancy in the committee; and

Mr. Fitzpatrick was reappointed.

On motion by Mr. Harlan,

Ordered, That Benjamin Arnold have leave to withdraw his petition and papers.

Mr. Iverson from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontier of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers, reported it with amendments.

The Senate proceeded to consider the motion made by Mr. Douglas, the 21st December last, to refer so much of the President's message as relates to Kansas to the Committee on Territories; and,

The motion was agreed to.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, and all other government service, by railroad, from the Missouri river to San Francisco, in the State of California.

On motion by Mr. Doolittle, that the further consideration of the bill be postponed for the purpose of proceeding to the consideration of the bill (S. 86) for the admission of the State of Minnesota into the Union,

It was determined in the affirmative, { Yeas.....30
Nays.....16

On motion by Mr. Doolittle,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Biggs, Bright, Cameron, Chandler, Clark, Collamer, Crittenden, Doolittle, Douglas, Durkee, Evans, Fessenden, Fitch, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Pugh, Seward, Simmons, Stuart, Wade.

Those who voted in the negative are,

Messrs. Allen, Bigler, Broderick, Brown, Clay, Fitzpatrick, Green, Gwin, Hunter, Iverson, Mason, Polk, Sebastian, Slidell, Wright, Yulee.

The bill (S. 86) for the admission of the State of Minnesota into the Union, was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Biggs, to amend the bill, section 2, line 2, by striking out "one" and inserting *two*; and after the word "representative," in the same line, by striking out to the end of the section and inserting *in the Congress of the United States*.

Mr. Pugh called for a division of the question; and, being taken on so much of the amendment as proposed to strike out "one" and insert *two*,

It was determined in the negative, { Yeas..... 12
Nays 33

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Biggs, Bright, Brown, Douglas, Fitch, Green, Jones, Pugh, Sebastian, Stuart, Wright.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Broderick, Cameron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Evans, Fessenden, Fitzpatrick, Foot, Foster, Hamlin, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, King, Mason, Pearce, Polk, Seward, Simmons, Slidell, Trumbull, Wade, Wilson, Yulee.

Mr. Biggs, by unanimous consent, had leave to withdraw the residue of his proposed amendment.

On motion by Mr. Slidell,

Ordered, That the further consideration of the bill be postponed until to-morrow, and be the order of the day.

On motion by Mr. Slidell,

The Senate proceeded to the consideration of executive business; and after the consideration thereof,

The Senate adjourned.

THURSDAY, MARCH, 25, 1858.

The Vice President laid before the Senate a letter of the Secretary of the Interior, communicating a letter of the Commissioner of the General Land Office, explanatory of a change in the schedules of all the Pueblo and private land claims in New Mexico, heretofore reported to Congress, which has been proposed by the surveyor general and adopted in the General Land Office; which was read.

Ordered, That it be referred to the Committee on Private Land Claims.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, a statement showing the progress of the report of Major W. H. Emory on the United States and Mexican boundary survey; which was read.

On motion by Mr. Mason, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a letter of the Chief Clerk of the Court of Claims, returning, in compliance with a resolution of the Senate, the petition and papers of James Myer; which was read.

Ordered, That it lie on the table.

Mr. Bigler presented a petition of citizens of Belldona, and its vicinity, Pennsylvania, praying the establishment of a mail route from Waterford to Wattsburgh; which was referred to the Committee on Post Offices and Post Roads.

Mr. Dixon presented the memorial of Charles H. Jackson, a commander in the navy, who had been placed upon furlough and subsequently restored to his rank and position in the service, praying to be allowed arrears of pay for the time he was furloughed; which was referred to the Committee on Naval Affairs.

Mr. Cameron presented a memorial of the Board of Trade of Philadelphia, remonstrating against any change of the law establishing the Light-house Board; which was referred to the Committee on Commerce.

Mr. Cameron presented a petition of citizens of Bedford county, Pennsylvania, operatives engaged in the manufacture of iron, praying protection to that branch of American labor; which was referred to the Committee on Finance.

Mr. Cameron presented the petition of Robert K. Smith, heir of John Smith, praying the confirmation of his title to certain lands in the Bastrop grant, in the State of Louisiana; which was referred to the Committee on Public Lands.

Mr. Seward presented a memorial of the representatives of the Religious Society of Friends in the State of New York and parts adjacent, remonstrating against any action whereby the evils of slavery may be in anywise extended.

Ordered, That it lie on the table.

Mr. Fessenden presented resolutions of the legislature of Maine, in relation to Kansas and slavery.

Ordered, That they lie on the table and be printed.

Mr. Doolittle presented additional papers in relation to the claim of Anson Dart; which were referred to the Committee on Indian Affairs.

On motion by Mr. Doolittle,

Ordered, That the bill (S. 181) for the relief of Anson Dart be re-committed to the Committee on Indian Affairs.

Mr. Mason submitted the following resolution for consideration:

Resolved, That _____ be, and he is hereby, appointed Acting Secretary of the Senate during the temporary disability, by sickness, of the Secretary; and that said acting secretary be, and he is hereby, empowered to do and perform all official acts pertaining to the office of Secretary aforesaid, and under the same responsibilities now devolved on the Secretary, and after giving like official bond; and that he so continue until the further order of the Senate.

Mr. Iverson, from the Committee on Military Affairs and the Militia, to whom was referred the petition of John Caris and others, members of Captain Campbell's company of volunteers, in the war of 1812, submitted an adverse report, (No. 134;) which was ordered to be printed.

Mr. Clay, from the Committee on Commerce, to whom was referred a resolution of the legislature of Iowa, relative to a post office, court-house, and custom-house at Burlington, in that State, reported—

That the committee be discharged from the further consideration of the subject.

Mr. Broderick, from the Committee on Public Lands, to whom was referred the bill (S. 210) to create additional land districts in the State of California, and for other purposes, reported it with amendments, and submitted a letter of the Secretary of the Interior on the subject; which was ordered to be printed.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 210) last mentioned; and the reported amendments having been agreed to, the bill was reported to the Senate and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Benjamin, from the Committee on Commerce, to whom was referred a bill (S. 192) to provide for the general introduction of an international code of marine signals, reported it without amendment.

On motion by Mr. Benjamin,

Ordered, That when the Senate adjourn it be to Monday next.

The bill (S. 117) for the relief of William Allen, of Portland, in the State of Maine, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be requested to inform the Senate of the present condition of the United States ship Franklin, and of the expediency of fitting her for sea as a screw-steamer, with full steam power.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of citizens of Trenton, reported a bill (S. 213) to change the name of the port of Lambertton, in the State of New Jersey; which was read and passed to the second reading.

The Senate resumed, as in Committee of the Whole, the bill (S. 86) for the admission of the State of Minnesota into the Union.

On motion by Mr. Iverson, that the further consideration of the bill be postponed for the purpose of considering the bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers,

It was determined in the negative, { Yeas..... 10
Nays 32

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Biggs, Clay, Fitzpatrick, Iverson, Johnson, of Arkansas,
Kennedy Mason, Sebastian, Slidell, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Broderick, Cameron,
Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Fessenden,
Fitch, Foot, Foster, Green, Hale, Hamlin, Harlan, Houston, John-
son, of Tennessee, Jones, King, Pearce, Seward, Simmons, Stuart,
Toombs, Trumbull, Wade.

On motion by Mr. Mason, to amend the bill by striking out, section 2, line 2, the following words: "and such additional representatives in Congress as the population of said State, according to the census authorized by the act approved February twenty-six, eighteen hundred and fifty-seven, shall show it to be entitled to, according to the present ratio of representation, and no more," and inserting, *in the Congress of the United States*.

After debate, and the consideration of executive business, by unanimous consent,

The Senate adjourned.

MONDAY, MARCH 29, 1858.

The Vice President being absent,

The Senate proceeded to the choice of a President *pro tempore*, as the Constitution provides; and, on the counting the ballots, it appeared that the honorable Benjamin Fitzpatrick was duly elected.

Mr. Fitzpatrick thereupon resumed the chair.

Ordered, That the Secretary inform the House of Representatives that the Senate has chosen the honorable Benjamin Fitzpatrick President of the Senate *pro tempore*.

Ordered, That the Secretary inform the President of the United States that the Senate has chosen the honorable Benjamin Fitzpatrick President of the Senate *pro tempore*.

Mr. Pugh presented a petition of citizens of Sandusky county, Ohio, praying that a pension may be granted to each of the surviving officers and soldiers who have been in the regular or volunteer service of the United States since the first of January, 1848; which was referred to the Committee on Pensions.

Mr. Pugh presented two petitions of citizens of Cincinnati, Ohio, praying that a quarter section of land may be granted to actual settlers in the proposed Territory of Arizona, including the right to the minerals in the soil, upon the same conditions that lands are granted in other Territories and States; which were referred to the Committee on Public Lands.

Mr. Pugh presented a memorial of members of the bar, and others, at Toledo, Ohio, praying that a term of the United States district

and circuit courts, for the northern district of Ohio, may be held at Toledo ; which was referred to the Committee on the Judiciary.

Mr. Pugh presented a memorial of citizens of Cincinnati, Ohio, praying that a system of instruction may be introduced on board the United States ships-of-war, as a means of improving the personnel of the navy ; which was referred to the Committee on Naval Affairs.

Mr. Pugh presented a memorial of citizens of Cleveland, Ohio, remonstrating against the repeal of the law establishing the Lighthouse Board ; which was referred to the Committee on Commerce.

Mr. Pugh presented a resolution adopted at the State Military Convention held in the city of Columbus, Ohio, on the 19th of January, 1858, relative to the officering of the four additional regiments recommended by the President in his message in December last ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Pugh presented additional papers in relation to the claims to lands lying within the Muncie reservation in the Territory of Kansas ; which were referred to the Committee on Indian Affairs.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the bill of the Senate (S. 210) to create additional land districts in the State of California, and for other purposes.

The President of the United States approved and signed, the 11th of March, an act (H. R. 307) to appropriate money to supply deficiencies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives for the thirty-third and thirty-fourth Congresses, and which has been executed.

On the 16th of March, an act (H. R. 8) for the relief of John Hamilton ; and

On the 20th of March the following act and resolution :

H. R. 216. An act for the relief of Doctor Charles D. Maxwell, a surgeon in the United States navy ;

H. R. 19. Resolution respecting the distribution of certain public documents.

Mr. Jones presented a resolution of the legislature of Iowa in favor of the enactment of a law legalizing certain locations of land under land warrants for which more than one dollar and twenty-five cents per acre was paid ; which was referred to the Committee on Public Lands.

Mr. Jones presented a resolution of the legislature of Iowa in favor of the establishment of certain mail routes ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Broderick presented resolutions of the legislature of California against the renewal of the present contract with the Atlantic and Pacific mail steamship companies and in favor of the letting of two distinct weekly mail contracts, on separate routes, to two distinct companies ; which were referred to the Committee on Post Offices and Post Roads.

Mr. Gwin presented a resolution of the legislature of California in favor of the cession to that State of the Monterey Redoubt, for the establishment of a military school, or for other purposes of education ;

which was referred to the Committee on Military Affairs and the Militia.

Mr. Gwin presented the petition of David D. Porter, a lieutenant in the navy, praying the settlement, upon principles of equity, of his accounts for certain secret services performed by him in the island of St. Domingo, under an order of the Secretary of the Navy; which was referred to the Committee on Naval Affairs.

Mr. Gwin presented the petition of Alexander Copeland, praying the confirmation of his title to certain lands in the county of Sonora, in California; which was referred to the Committee on Private Land Claims.

Mr. King presented a petition of citizens of New York praying that the public lands may be granted free of cost, in farms or lots, to actual settlers only; which was referred to the Committee on Public Lands.

Mr. Chandler presented the petition of Cassandra S. Witherell, praying that a land warrant may be issued to the heirs at law of her late father, Major General Hugh Brady, of the United States army; which was referred to the Committee on Private Land Claims.

Mr. Hamlin presented the petition of Hannah Thompson, praying that her pension may be continued; which was referred to the Committee on Pensions.

Mr. Johnson, of Tennessee, presented a petition of citizens of Detroit, Michigan, praying that the public lands may cease to be considered a source of public revenue, and that hereafter all entries thereof may be confined to actual settlers;

Ordered, That it lie on the table.

On motion by Mr. Evans,

Ordered, That the petition of Oliver Towles and others, heirs of Captain Oliver Towles, deceased, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Polk presented a petition of citizens of the city and county of St. Louis, Missouri, praying the organization of the Territory of Arizona, and that lands may be granted to actual settlers therein; which was referred to the Committee on Public Lands.

Mr. Pearce presented the memorial of Beverly Diggs, late an officer in the revenue service, praying some relief, in consideration of his having been, as he alleges, without cause, dismissed the service; which was referred to the Committee on Commerce.

Mr. Pearce presented the petition of Ann E. Smoot, widow of Joseph Smoot, late a captain in the navy, praying to be allowed a pension; which was referred to the Committee on Naval Affairs.

Mr. Pearce presented the petition of A. G. Allen, late navy agent at Washington, D. C., praying to be allowed additional compensation for disbursements to officers and others entitled by law to extra pay; which was referred to the Committee on Naval Affairs.

On motion by Mr. Hamlin,

Ordered, That the petition of Lemuel Worster, on the files of the Senate, be referred to the Committee on Public Lands.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be directed to inquire

into the expediency of amending the law relating to recording bills of sale of vessels, passed July 29, 1850.

On motion by Mr. Yulee,

Ordered, That the petition of William Moss, with the adverse report of the Committee on Post Offices and Post Roads, be recommitted to that Committee.

On motion by Mr. Iverson.

Ordered, That the Committee on Claims be discharged from the further consideration of the petition of J. W. Sullivan, and that it be referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the petition of Bacchus Webster, and that it be referred to the Committee on Naval Affairs.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the memorial of A. L. Pennock and George Pennock, and that it be referred to the Committee on Post Offices and Post Roads.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Findley Patterson, reported the following resolution, which was considered, by unanimous consent, and agreed to :

Resolved, That the petition of Findley Patterson, praying to be allowed payment for work done in the erection of the capitol of Kansas, under a contract with the governor of that Territory, and indemnity for losses sustained in consequence of the suspension of the work, together with the papers in the case, be referred to the Court of Claims for the action of that tribunal.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the petition of D. Meriwether, submitted an adverse report.

On motion by Mr. King,

Ordered, That the memorial and papers of Agnes Slacke and the heirs of De Repentigny, delivered by the Clerk of the House of Representatives to the Secretary of the Senate, by an order of the House of the 26th instant, be referred to the Committee on Private Land Claims.

Mr. Henderson asked and, by unanimous consent, obtained leave to bring in a bill (S. 214) to provide for the compensation of the judges of the district courts of the United States for the two districts in the State of Texas, and for other purposes ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Kennedy asked and, by unanimous consent, obtained leave to bring in a bill (S. 215) for the relief of the executors of Brevet Brigadier General James Bankhead, late of the United States army ; which was read the first and second times, by unanimous consent, and referred, with the accompanying papers, to the Committee on Military Affairs and the Militia.

Mr. Benjamin, from the Committee on Commerce, to whom was referred the bill (S. 84) to provide for the better regulation of "night signals" on board of "sail vessels" navigating the northwestern

lakes and their tributaries, and for other purposes, reported it with amendments.

Mr. Benjamin, from the Committee on Commerce, to whom was referred the bill (S. 138) further to provide for the safety of passengers on steam vessels, reported it with amendments.

Mr. Yulee asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 25) explanatory and amendatory of the resolution approved March 1, 1845, entitled "A resolution amendatory of the resolution passed April 30, 1854, respecting the application of certain appropriations heretofore made;" which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

The following bills and joint resolution were read the first and second times, and considered as in Committee of the Whole:

S. 145. Bill for the relief of Brevet Major James L. Donaldson, assistant quartermaster, United States army;

S. 202. Bill for the relief of Major Jeremiah Y. Dashield, paymaster in the United States army;

S. 17. Joint resolution explanatory of the "joint resolution giving an increased compensation to all laborers in the employment of the executive and legislative departments of the government in the city of Washington," approved 18th August, 1856; and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills and resolution were read the third time.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 144) for the relief of Captain Charles G. Ridgely, United States navy, was read the second time, and considered as in Committee of the Whole; and

On motion by Mr. Kennedy,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Jones reported from the committee that they had examined, and found duly enrolled, the bill (S. 210) to create additional land districts in the State of California, and for other purposes.

A message from the House of Representatives by Mr. Allen, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The President *pro tempore* signed the enrolled bill (S. 210) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 86) for the admission of Minnesota into the Union;

On the motion made by Mr. Mason, to amend the bill, section 2, line 2, by striking out after "Representative," the residue of the section, and insert *in the Congress of the United States*.

It was determined in the negative, { Yeas 8
 { Nays 41

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Biggs, Broderick, Clay, Fitzpatrick, Henderson, Houston,
 Hunter, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Bigler, Bright, Brown, Cameron,
 Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas,
 Durkee, Evans, Fessenden, Fitch, Foster, Green, Gwin, Hale, Ham-
 lin, Hammond, Harlan, Iverson, Johnson, of Tennessee, Jones, King,
 Mallory, Pearce, Polk, Pugh, Sebastian, Simmons, Slidell, Stuart,
 Trumbull, Wade, Wilson, Wright.

On motion by Mr. Wilson, to amend the bill by inserting at the
 end of the second section the following: "And the Secretary of the
 Interior shall cause the census of the said State to be taken forthwith,
 according to the provisions of the act of February 26, 1857, and re-
 port the same as soon as practicable."

It was determined in the affirmative, { Yeas 22
 { Nays 21

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Biggs, Broderick, Brown, Cameron, Chandler, Clark, Col-
 lamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden,
 Foster, Hale, Harlan, Houston, King, Pugh, Simmons, Wade, Wil-
 son.

Those who voted in the negative are,

Messrs. Allen, Bigler, Bright, Clay, Evans, Fitch, Fitzpatrick,
 Green, Hammond, Hunter, Iverson, Johnson, of Tennessee, Jones,
 Pearce, Polk, Sebastian, Slidell, Stuart, Trumbull, Wright, Yulee.

So the amendment was agreed to.

A further amendment being proposed,

On motion by Mr. Hale,

The Senate adjourned.

TUESDAY, MARCH 30, 1858.

The President pro tempore laid before the Senate a report of the
 Secretary of War, communicating, in compliance with a resolution of
 the Senate, information respecting the massacre of California emi-
 grants at the Mountain meadows, in the Territory of Utah; which
 was read.

Ordered, That it lie on the table.

The President pro tempore laid before the Senate a report of the

Secretary of State, communicating, in compliance with a resolution of the Senate, information in relation to prize vessels ; which was read.

Ordered, That it lie on the table.

The President pro tempore laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, the report of Lieutenant Beale, of his exploration for a wagon road from Fort Defiance, in New Mexico, to the western borders of California ; which was read.

On motion by Mr. Johnson, of Arkansas, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The President pro tempore laid before the Senate resolutions of the legislature of the Territory of Washington, relative to the construction of a national railroad across the continent, from the Atlantic States to the Pacific ocean.

Ordered, That they be printed.

The President pro tempore presented a memorial of the representatives of the religious Society of Friends in the State of New York, and parts adjacent, remonstrating against any action whereby the evils of slavery may be extended.

Ordered, That it lie on the table.

Mr. Doolittle presented a resolution of the legislature of Minnesota, in relation to the admission of Minnesota into the Union as a State.

Ordered, That it lie on the table and be printed.

Mr. Broderick presented resolutions of the legislature of California, in relation to school lands in the mountainous parts of the State ; which were referred to the Committee on Public Lands and ordered to be printed.

Mr. Wright presented a petition of citizens of New York, praying that the public lands may be granted in farms or lots, free of cost, to actual settlers only ; which was referred to the Committee on Public Lands.

On motion by Mr. Crittenden,

Ordered, That the memorial of the heirs of Isaac Shelby, on the files the Senate, be referred to the Committee on Revolutionary Claims.

On motion by Mr. Houston,

Ordered, That the memorial of James Myer be referred to the Committee on Claims.

On motion by Mr. Kennedy,

Ordered, That Thomas Quantrill have leave to withdraw his petition and papers.

Mr. Hunter submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of establishing a central national foundry at the city of Alexandria, in Virginia, and report by bill or otherwise.

Mr. Gwin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of conferring on the district courts of Cali-

fornia, in the investigation of facts relating to cases pending on appeal from the United States land commission, the powers given to the courts of the United States by the judiciary act of 1789 in regard to the taking of depositions.

On motion by Mr. Wilson,

Ordered, That leave be granted to withdraw the petition and papers of Colonel William Bond and Colonel William Douglass.

Mr. Clay, from the Committee on Pensions, to whom was referred the petition of John S. Devlin, submitted an adverse report, (No. 137;) which was ordered to be printed.

Mr. Clay, from the Committee on Pensions, to whom was referred the petition of William R. Brownlee, submitted an adverse report, (No. 138;) which was ordered to be printed.

Mr. Clay, from the Committee on Pensions, to whom was recommended the bill (S. 23) for the relief of Robert Dickson, of the Kentucky volunteers, reported it without amendment, and submitted an adverse report, (No. 140;) which was ordered to be printed.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (S. 56) explanatory of an act entitled "An act in addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855, reported it without amendment and submitted an adverse report, (No. 136;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Isaac Swain, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the case of Isaac Swaine, and the papers accompanying the same, be referred to the Court of Claims, to inquire and decide whether the government of the United States is legally liable for the amount, or any part thereof, recovered against the ship Ellen Brooks, or the owner thereof, in the United States district court for the northern district of California, in the suit of Raphael Orego and others, libellants, in the year 1851; and to report to Congress what amount, if any, of said recovery, and of the costs, charges, and expenses of defending said suit, the United States are legally liable and ought to pay to said Isaac Swaine, owner of said ship.

On motion by Mr. Simmons,

Ordered, That the Committee on Claims be discharged from the further consideration of the petition of Randall Pegg, and that it be referred to the Committee on Patents and the Patent Office.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Cassandra S. Witherell, reported adversely thereon.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 175) for the relief of S. W. Holladay and others, submitted a report accompanied by the following resolution:

Resolved, That the Attorney General be directed to make careful examination of the nature and validity of the title conveyed to the United States by the city of San Francisco, on the 11th December, 1852, and to report to the Senate—

First. Whether any and what defects exist in said title ;

Second. Whether the parties to whom lots five and six in the hospital square at San Francisco were conveyed by sheriff's deed in 1851, have valid title to said lots under said conveyances, and are competent now to transfer valid title to the United States ;

Third. What is the present value of said lots five and six, and whether the said lots are indispensable for the use of the hospital ;

Fourth. Whether there are any outstanding claims of title to any other part of said hospital square.

The Senate proceeded to consider the said resolution, by unanimous consent.

On motion by Mr. Collamer, to amend the resolution by adding thereto the following :

Fifth. Where the claimants of said lots resided, or whether they had notice of the purchase by the government and knew of the erection of the hospital, or made objection thereto.

It was determined in the affirmative.

The resolution, as amended, was then agreed to.

Mr. Jones reported from the committee that they presented to the President of the United States, the 29th instant, the enrolled bill (S. 210) to create additional land districts in the State of California, and for other purposes.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Interior, relative to Major Emory's report on the Mexican boundary survey, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the resolutions of the legislature of the Territory of New Mexico, relative to the organization of the Territory of Arizona, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War, communicating information in relation to officers of the army absent from duty, and cause of such absence, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War, communicating lists of persons employed in that department, other than officers of the army, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Navy, in relation to government vessels in the Pacific ocean, and private vessels employed as government transports and the annual expense thereof, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War, in answer to a resolution of the Senate, calling for surveys of the Potomac river in the vicinity of Washington, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the memorial of Lawrence Kearney, reported in favor of printing the same; and

The report was agreed to.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of seamen on board the United States frigate Missouri, which was burnt off Gibraltar, in 1843, submitted an adverse report, (No. 139;) which was ordered to be printed.

Mr. Polk, from the Committee on Foreign Relations, to whom was referred the memorial of George M. Weston, commissioner of the State of Maine, submitted a report, (No. 135,) accompanied by a bill (S. 216) authorizing the payment to the State of Maine of certain expenses, agreed to be refunded to her by the fifth article of the treaty between the United States of America and her Britannic Majesty, dated the 9th day of August, anno Domini 1842.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Fitzpatrick asked and, by unanimous consent, obtained leave to bring in a bill (S. 217) to constitute Montgomery, in the State of Alabama, a port of delivery; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 176) to acquire certain lands needed by the Washington aqueduct in the District of Columbia, and, having been amended, it was reported to the Senate and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution to print ten thousand copies of the report of the Secretary of the Interior, communicating the report of John Claiborne on the consumption of cotton in Europe, reported in favor of printing five thousand copies of the report, in addition to the usual number; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, reported a bill (S. 218) amendatory of the act entitled "An act to provide for executing the public printing, and establishing the prices thereof, and for other purposes," approved August 26, 1852; which was read and passed to a second reading.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, MARCH 31, 1858.

Mr. Douglas presented a letter of the Honorable Joseph Lane, delegate of the Territory of Oregon, enclosing a copy of the constitution of Oregon, and asking its presentation and the adoption of such measures as will admit Oregon into the Union, on an equal footing with the original States; which was referred to the Committee on Territories.

Mr. Douglas presented a memorial of citizens of the counties of Big Sioux and Midway, in the Territory of Dakota, praying the enactment of a law organizing a territorial government in that Territory; which was referred to the Committee on Territories.

Mr. Douglas presented a memorial of citizens of the town of Medary, in the Territory of Dakota, praying the organization of a territorial government for that Territory; which was referred to the Committee on Territories.

Mr. Douglas presented a petition of the mayor and council of the city of Rock Island, in the State of Illinois, praying to be allowed to purchase a portion of said island; which was referred to the Committee on Public Lands.

Mr. Bigler presented a memorial of the Magnetic Telegraph Company and of the New England Union Telegraph Company, praying the enactment of a law to prohibit combinations between telegraph companies in the United States and foreign companies, for the purpose of monopoly; which was referred to the Committee on the Judiciary.

On motion by Mr. Bigler, that the memorial be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Thomson, of New Jersey, presented a petition of citizens of New York, praying that the public lands may be granted free of cost, in limited quantities, to actual settlers only.

Ordered, That it lie on the table.

On motion by Mr. Brown,

Ordered, That the petition of William Hunter, on the files of the Senate, be referred to the Committee on Foreign Relations

Mr. Brown presented a petition of the lay members of the Roman catholic churches in the District of Columbia, praying the enactment of a law in relation to the manner of holding and transmitting the title to property of the Roman catholic church in said district; which was referred to the Committee on the District of Columbia.

Mr. Mason presented the memorial of H. L. Gallaher, praying that his claim for work done on the Washington aqueduct may be settled upon the principles of justice and equity; which was referred to the Committee on Claims.

Mr. King presented a petition of inhabitants of Jefferson county, New York, praying the construction of a breakwater at the port of Cape Vincent, in that State; which was referred to the Committee on Commerce.

On motion by Mr. Trumbull,

Ordered, That the petition of Daniel Hay, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Polk presented the memorial of H. Rives Pollard, praying that an adequate salary may be attached to the office of the United States consul at Bangkok, in Siam, to which office he has been recently appointed; which was referred to the Committee on Foreign Relations.

Mr. Yulee asked and, by unanimous consent, obtained leave to bring in a bill (S. 219) for the relief of the railroad companies of the State of Florida; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a bill (S. 220) for the relief of the citizens and owners of property in the city of Omaha, Nebraska Territory, and Sioux city, State of Iowa; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Chandler asked and, by unanimous consent, obtained leave to bring in a bill (S. 222) for the relief of Jeremiah Moors; which was read the first and second times, by unanimous consent, and referred, with his petition and papers on file, to the Committee on Commerce.

Mr. Polk, from the Committee on Claims, to whom was referred the memorial of the legal representatives of Seth Belknap, submitted an adverse report, (No. 144;) which was ordered to be printed.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred a petition of citizens of Montgomery county, Maryland, praying that the plank road in that county leading to the district, may be made toll free, reported adversely thereon.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of J. H. Carter for himself, and J. W. Bennett, and R. B. Lowry, submitted an adverse report, (No. 142;) which was ordered to be printed.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the memorial of J. K. Kane and others, in behalf of the widow of Foxhall A. Parker, and that it be referred to the Committee on Pensions.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of Ann E. Smoot, and that it be referred to the Committee on Pensions.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of William Reynolds, submitted an adverse report, (No. 143;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of W. W. Bassett, submitted an adverse report, (No. 141;) which was ordered to be printed.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print a report of the Secretary of War, communicating the report of Lieutenant Colonel J. D. Graham, on lake harbor improvements for 1857, reported in favor of printing the usual number without the maps; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to

whom was referred a motion to print the report of the Secretary of War in relation to the expenses of armories and the manufacture of arms thereat for the year 1856-'7, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print five thousand extra copies of the map of Florida illustrative of the recent surveys for a canal in that State, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Interior, communicating the report of J. Ross Browne on the late Indian war in Oregon and Washington Territories, reported in favor of printing the same; and

The report was agreed to.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution to inquire into the expediency of suspending the territorial laws in Utah during the present difficulties in that Territory, and that the subject be referred to the Committee on Territories.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of Richard W. Meade, reported a bill (S. 221) for the relief of Richard W. Meade; which was read and passed to a second reading.

Mr. Foot, from the Committee on Foreign Relations, to whom was referred the petition of Frances Ann McCauley, submitted a report, (No. 145,) accompanied by a bill (S. 223) for the relief of Frances Ann McCauley.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred the papers in relation to the claim of Edward Ingersoll, submitted a report, (No. 146,) accompanied by a bill (S. 224) for the relief of Edward Ingersoll.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Benjamin, from the Committee on the Judiciary, to whom was referred the memorial of Andrew Glassell, submitted a report accompanied by a bill (S. 225,) for the relief of Andrew Glassell.

The bill (S. 225,) was read the first and second times, by unanimous consent, and considered as in Committee of the Whole, and no amendments being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time, by unanimous consent.

Resolved, That the bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Iverson, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of Harriet O. Read, executrix of A. C. W. Fanning, reported a bill (S. 226) for the relief of Mrs. Harriet O. Read, executrix of the late Brevet Colonel A. C. W. Fanning, of the United States army; which was read and passed to a second reading.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 227) authorizing the organization of a fire department in the District of Columbia; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

The Senate resumed the consideration of the resolution submitted by Mr. Iverson, the 18th of February, to set apart Friday in each week for the consideration of the private bills on the calendar; and having been amended on the motion of Mr. Stuart, it was agreed to, as follows:

Resolved, That for the residue of the present session, after this present week, Friday of each week shall be set apart for the consideration of private bills, in the order in which they stand upon the calendar.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States approved and signed, the 29th of March, an act (S. 210) to create additional land districts in the State of California, and for other purposes.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Yulee, That the Senate proceed to the consideration of the bill (S. 143) to create the office of Fourth Assistant Postmaster General;

It was determined in the affirmative; and

The said bill (S. 143) was read the second time, and considered as in Committee of the Whole; and

Pending debate,

The hour fixed for the consideration of the special order of the day arrived; and

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 86) for the admission of the State of Minnesota into the Union.

On motion by Mr. Polk to amend the bill by striking out the second section after the enacting clause, amended as follows: "That said State shall be entitled to one representative, and such additional representatives in Congress as the population of said State, according to the census authorized by the act approved February 26, 1857, shall show it to be entitled to, according to the present ratio of representation, and no more; and the Secretary of the Interior shall cause the census of said State to be taken forthwith, according to the provisions of the act of February 26, 1857, and report the same as soon as practicable;" and inserting in lieu thereof: *That said State shall be entitled to three representatives in the Congress of the United States—*

It was determined in the negative, { Yeas 14
Nays 34

On motion by Mr. Mason,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Bigler, Bright, Evans, Fitch, Green, Gwin, Hammond,
Iverson, Jones, Polk, Pugh, Sebastian, Slidell, Stuart.

Those who voted in the negative are,
Messrs. Allen, Bayard, Benjamin, Biggs, Broderick, Brown, Came-
ron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle,
Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hamlin, Harlan, Hen-
derson, Houston, Johnson, of Arkansas, Johnson, of Tennessee,
Kennedy, King, Mason, Pearce, Trumbull, Wade, Wilson, Wright,
Yulee.

On motion by Mr. Fitch to amend the bill by striking out all the
second section after the enacting clause, and inserting: *That said
State shall be entitled to three representatives in Congress during this
Congress, and thereafter to only such number of representatives as the
census herein provided for shall entitle it to, according to the present
ratio of representation; and that it shall be the duty of the Secretary of
the Interior to cause a census of said State to be taken as soon as prac-
ticable, agreeably to the act approved February 26, 1857—*

A motion was made by Mr. Doolittle to amend the said amendment
by striking out "three," and inserting *two*.

On the question to agree to the amendment proposed by Mr. Doo-
little,

It was determined in the negative, { Yeas 11
Nays 33

On motion by Mr. Mason,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Bayard, Biggs, Chandler, Clark, Dixon, Doolittle, Evans,
Hammond, Kennedy, Mason, Thompson, of Kentucky.

Those who voted in the negative are,
Messrs. Allen, Benjamin, Bright, Broderick, Cameron, Clay, Col-
lamer, Crittenden, Fessenden, Fitch, Foot, Foster, Green, Gwin,
Hale, Hamlin, Harlan, Houston, Iverson, Johnson, of Tennessee,
Jones, Pearce, Polk, Pugh, Sebastian, Simmons, Stuart, Thomson,
of New Jersey, Trumbull, Wade Wilson, Wright, Yulee.

On the question to agree to the said amendment proposed by Mr.
Fitch,

It was determined in the negative, { Yeas 14
Nays 36

On motion by Mr. Chandler,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Allen, Bigler, Bright, Fitch, Green, Gwin, Iverson, Jones,
Polk, Pugh, Sebastian, Stuart, Wright, Yulee.

Those who voted in the negative are,
Messrs. Bayard, Benjamin, Biggs, Broderick, Brown, Cameron,
Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle,

Durkee, Evans, Fessenden, Fitzpatrick, Foot, Foster, Hale, Hamlin, Hammond, Harlan, Henderson, Houston, Johnson, of Tennessee, Kennedy, King, Mason, Pearce, Simmons, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson.

On motion by Mr. Fitch, to amend the bill by striking out all of the second section thereof, after the enacting clause, and inserting : *That said State be entitled to two representatives in Congress until a new census be taken, which census shall be taken again as herein provided ; and if it appears, by said census, that said State is entitled to three representatives, agreeably to the present ratio of representation, then another representative shall be entitled to his seat ; and that it shall be the duty of the Secretary of the Interior to cause a census of said State to be taken as soon as practicable, agreeably to the act approved the 26th of February, 1857 ;*

It was determined in the negative, { Yeas..... 20
Nays 27

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Biggs, Bigler, Bright, Broderick, Brown, Douglas, Evans, Fitch, Green, Gwin, Iverson, Jones, Mason, Polk, Pugh, Sebastian, Slidell, Stuart, Wright.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Durkee, Fessenden, Fitzpatrick, Foster, Hale, Hamlin, Harlan, Henderson, Houston, Johnson, of Tennessee, Kennedy, King, Pearce, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson, Yulee.

On motion by Mr. Iverson, to amend the bill by striking out all of the second section thereof, after the enacting clause, and inserting, *That said State shall be entitled to two representatives in Congress until the next apportionment of representatives amongst the several States ;*

It was determined in the negative, { Yeas 23
Nays 26

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Biggs, Bigler, Bright, Broderick, Brown, Douglas, Evans, Fitch, Green, Gwin, Hammond, Iverson, Johnson, of Tennessee, Jones, Mason, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Benjamin, Cameron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hale, Hamlin, Harlan, Henderson, Houston, King, Pearce, Simmons, Trumbull, Wade, Wilson, Yulee.

On motion by Mr. Benjamin, that the Senate reconsider the last mentioned vote,

It was determined in the affirmative, { Yeas 27
Nays 22

On motion by Mr. Stuart,

square in the city of Washington; which was referred to the Committee on Claims.

The President pro tempore laid before the Senate a letter of the chief clerk of the Court of Claims, accompanied by reports of the Court of Claims, made in pursuance of law, adverse to the claim of Joseph Ratcliff; the claim of Oliver Dubois; the claim of Arthur Edwards, John Owen, and Ira Davis; the claim of Dennis Cronan; the claim of A. O. P. Nicholson; the claim of the heirs of Lewis Ansart, and the claim of Joshua J. Gruppey, trustee for the settlers and occupants of "Portage City;" also the opinion of the Court on the claim of Joseph Clymer.

On motion,

Ordered, That they be referred to the Committee on Claims.

On motion by Mr. Hale,

Ordered, That when the Senate adjourn it be to Monday next.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary inquire whether any amendments of the laws, relating to the taking of affidavits and holding to bail, so as to enlarge the powers of commissioners, are necessary.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary inquire whether any necessity exists for a revision of the acts declaring the fees of United States marshals.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be directed to inquire into the expediency of amending section thirty-seven of the act entitled "An act for enrolling and licensing ships and vessels in the coasting trade and fisheries, and for regulating the same;" passed February 18, 1793.

Mr. Biggs submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to communicate to the Senate the present condition of the United States arsenal at Fayetteville, North Carolina, and whether the buildings, shops, and machinery are sufficiently completed for the construction of material and munitions of war, and what appropriation, if any, is necessary to put the same in operation as an arsenal of construction, upon the original plan adopted by Congress.

Mr. Fessenden asked and, by unanimous consent, obtained leave to bring in a bill (S. 228) making appropriations for certain public works in the State of Maine; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Crittenden asked and, by unanimous consent, obtained leave to bring in a bill (229) for the relief of Jane Turnbull; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Trumbull asked and, by unanimous consent, obtained leave to

bring in a bill (S. 230) for the relief of the legal representatives of Daniel Hay, deceased; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of the heirs of Jabez B. Rooker, submitted an adverse report, (No. 147;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Ann Mathieson, submitted an adverse report (No. 148) on so much of the petition as relates to indemnity for property destroyed; which was ordered to be printed.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the residue of the petition of Ann Mathieson, praying a grant of land, and that it be referred to the Committee on Public Lands.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of citizens of the city and county of St. Louis, Missouri, relative to the organization of a territorial government for Arizona, and that it be referred to the Committee on Territories.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of Robert K. Smith, and that it be referred to the Committee on Private Land Claims.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the memorial of the legislature of Iowa, presented March 29, respecting certain land titles in that State.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 204) to provide for issuing patents in certain cases, where grants of the public lands have been made by Congress, reported it with an amendment.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the resolution of the Senate (S. 24) authorizing Lieutenant William N. Jeffers to accept a sword of honor from her Majesty the Queen of Spain.

Mr. Green asked and, by unanimous consent, obtained leave to bring in a bill (S. 231) granting public lands to the Territories of Kansas and Nebraska, to aid in the construction of railroads in said Territories; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Brown, from the Committee on the District of Columbia, reported a bill (S. 232) to establish an auxiliary guard for the protection of public and private property in the city of Washington, and repealing all acts heretofore passed in relation to that subject; which was read and passed to a second reading.

Mr. Brown also submitted a report (No. 149) on the subject; which was ordered to be printed.

The resolution (S. 21) devolving upon the Secretary of War the

execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1854, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Clay,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Iverson, that the Senate proceed to the consideration of the bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers,

It was determined in the affirmative, { Yeas..... 28
Nays 23

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Brown, Clay, Crittenden, Evens, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bright, Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durke, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, King, Seward, Stuart, Trumbull, Wade, Wilson.

So the Senate proceeded to consider the last mentioned bill, (H. R. 313,) as in Committee of the Whole; and,

At the hour of one o'clock, the President announced the special order of the day, viz: the bill (S. 86) for the admission of the State of Minnesota into the Union.

On motion by Mr. Iverson, that the special orders of the day be postponed until to morrow,

It was determined in the affirmative, { Yeas..... 30
Nays 19

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Crittenden, Evans, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Stuart, Trumbull, Wade, Wilson.

Whereupon

The Senate resumed the consideration of the bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President

to call into the service of the United States four additional regiments of volunteers.

On motion by Mr. Hunter, to amend the bill, section 4, line 7, by striking out "four" and inserting *two*,

It was determined in the affirmative, { Yeas..... 28
Nays 14

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Benjamin, Biggs, Bigler, Broderick, Brown, Cameron, Chandler, Clark, Clay, Doolittle, Durkee, Fessenden, Fitzpatrick, Foster, Hale, Hamlin, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, King, Mason, Pearce, Seward, Slidell, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Crittenden, Douglas, Evans, Fitch, Green, Jones, Polk, Pugh, Sebastian, Stuart, Thomson, of New Jersey, Wright, Yulee.

The bill having been further amended, was reported to the Senate.

On the question to concur in the following amendment, proposed by Mr. Hunter, viz: Section 4, line 7, strike out "four" and insert *two*,

It was determined in the affirmative, { Yeas..... 34
Nays..... 16

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Biggs, Bright, Broderick, Brown, Cameron, Chandler, Clark, Clay, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitzpatrick, Foster, Gwin, Hale, Hamlin, Harlan, Houston, Hunter, Iverson, Johnson, of Tennessee, King, Mason, Pearce, Seward, Slidell, Thomson, of New Jersey, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bigler, Crittenden, Douglas, Fitch, Green, Hammond, Henderson, Johnson, of Arkansas, Jones, Polk, Pugh, Sebastian, Stuart, Thompson, of Kentucky, Wright.

The residue of the amendments made, as in Committee of the Whole, being concurred in, and no further amendment proposed—

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill was read the third time as amended.

On the question, "Shall this bill pass with amendments?"

It was determined in the affirmative, { Yeas..... 41
Nays 13

On motion by Mr. Broderick,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Cameron, Crittenden, Douglas, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Harlan, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson of Tennessee, Jones,

Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Seward, Slidell, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foster, Hale, Hamlin, King, Trumbull, Wade.

On motion by Mr. Hunter,

The title was amended, by striking out "four" and inserting *two*.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Green, that the vote agreeing to the motion by Mr. Hale, that when the Senate adjourn it be to Monday next, be reconsidered,

It was determined in the affirmative, {	Yeas.....	33
	Nays	21

On motion by Mr. Broderick,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Douglas, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foster, Hale, Hamlin, Harlan, King, Pearce, Seward, Thompson, of Kentucky, Trumbull, Wade, Wilson.

On the question to agree to the motion made by Mr. Hale, that when the Senate adjourn it be to Monday next,

It was determined in the negative.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the bill from the Senate (S. 161) for the admission of the State of Kansas into the Union, with an amendment; in which it requests the concurrence of the Senate.

On motion by Mr. Green,

Ordered, That the amendment of the House of Representatives to the bill last mentioned be printed.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 161) for the admission of the State of Kansas into the Union; and

On motion by Mr. Green, that the Senate disagree to the amendment,

On motion by Mr. Green,

The Senate adjourned.

FRIDAY, APRIL 2, 1858.

Mr. Seward presented a letter of W. H. Ward, asking the adoption of his code of signal telegraph for ocean marine service as a national code.

Ordered, That it lie on the table.

On motion by Mr. Seward,

Ordered, That the memorial of Townsend Harris, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Hamlin presented two petitions of citizens of Maine and owners of lands lying on the river St. Croix, praying that measures may be taken to have that portion of the boundary between the United States and the province of New Brunswick which runs along the middle of the river St. Croix made plain and established; which were referred to the Committee on Foreign Relations.

Mr. Slidell presented the memorial of T. Hart Hyatt, United States consul at Amoy, in China, praying compensation for judicial services under the act of Congress of August 11, 1848; which was referred to the Committee on Foreign Relations.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the memorial of John W. Phillips, and that he have leave to withdraw his memorial and papers.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the petition of Charles Knap, and that it be referred to the Committee on Commerce.

Mr. Johnson, of Tennessee, presented papers in relation to the claim of Levi Johnson and of Mary Burchfield in the right of Samuel Slaughter to bounty land; which were referred to the Committee on Pensions.

Mr. Jones presented a memorial of the legislature of Iowa, praying a grant of land to aid in the construction of a railroad from Fort Dodge to Sioux Falls; which was referred to the Committee on Public Lands.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the petition of John B. and Thomas Johnston, on the files of the Senate, be referred to the Committee on Claims.

Mr. Fitch presented a memorial of citizens of Martin county, Minnesota, praying the establishment of a mail route from Winnebago City to Jackson; which was referred to the Committee on Post Offices and Post Roads.

Mr. Sebastian asked and, by unanimous consent, obtained leave to bring in a bill (S. 233) for the relief of Samuel C. Phagin and others; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Johnson, of Arkansas, asked and, by unanimous consent, obtained leave to bring in a bill (S. 234) for the remission of fines, penalties, and forfeitures; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

The Senate proceeded to consider the resolution of the House of Representatives fixing a day for the adjournment of Congress ; and

On motion by Mr. Brown,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed the consideration of the resolutions submitted by Mr. Douglas the 4th of February, calling for information in relation to the elections in Kansas ; and

On motion by Mr. Douglas,

Ordered, That the resolutions lie on the table.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 76) to acquire certain lands needed for the Washington Aqueduct in the District of Columbia.

The Senate resumed the consideration of the bill (S. 64) to equalize the salaries of certain judges of the courts for the District of Columbia, and for other purposes ; and

On motion by Mr. Iverson,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends ; and

On motion by Mr. Biggs,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the resolution (S. 24) authorizing Lieutenant William N. Jeffers to accept a sword of honor from her Majesty the Queen of Spain.

On motion by Mr. King,

Ordered, That Emma A. Wood, have leave to withdraw her petition and papers.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 161) for the admission of the State of Kansas into the Union.

On motion by Mr. Green, that the Senate disagree to the amendment,

It was determined in the affirmative, { Yeas 32
Nays 23

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale,

Hamlin, Harlan, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Mason,

Ordered, That when the Senate adjourn it be to Monday next.

On motion by Mr. Slidell that the Senate adjourn,

It was determined in the negative, { Yeas 27
Nays 27

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce, Pugh, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Bright, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Jones, King, Polk, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

On motion by Mr. Mallory, that the Senate proceed to the consideration of private bills,

It was determined in the negative, { Yeas 21
Nays 29

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Clay, Evans, Fitzpatrick, Green, Hammond, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Thompson, of Kentucky, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Fitch, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Pearce, Seward, Simmons, Slidell, Stuart, Thomson, of New Jersey, Wade, Wilson.

On motion by Mr. Douglas,

That the Senate proceed to the consideration of the bill (S. 86) for the admission of the State of Minnesota into the Union.

A motion was made by Mr. Yulee that the Senate adjourn; and

It was determined in the negative, { Yeas 26
Nays 26

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Evans, Fitzpatrick, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce,

Polk, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Bright, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Fitch, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

The motion of Mr. Douglas was then agreed to; and

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 86) for the admission of the State of Minnesota into the Union.

On motion by Mr. Benjamin, that the Senate adjourn,

It was determined in the negative, { Yeas 25
Nays 27

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Clay, Evans, Fitzpatrick, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bright, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Fitch, Foot, Foster, Hale, Hamlin, Harlan, Houston, Jones, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

After debate,

On motion by Mr. Mason,
The Senate adjourned.

MONDAY, APRIL 5, 1858.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 176) to acquire certain lands needed for the Washington Aqueduct, in the District of Columbia.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (S. 176) and an enrolled resolution, (S. 24,) I am directed to bring them to the Senate for the signature of its President.

The President *pro tempore* signed the enrolled bill (S. 176) and the enrolled resolution (S. 24) last mentioned, and they were delivered to the committee to be presented to the President of the United States.

Mr. Seward presented a memorial of the Chamber of Commerce, of

the city of New York, remonstrating against the repeal of the law establishing the light-house board; which was referred to the Committee on Commerce.

Mr. Seward presented a petition of citizens of New York, praying the enactment of a general relief law; which was referred to the Committee on the Judiciary.

Mr. Seward presented the petition of Samuel Gardner, jr., praying Congress to purchase, for the use of the government, his patent for lighting gas burners by means of electricity; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. Stuart presented a petition of citizens of Ionia county, Michigan, praying the establishment of a mail-route from Pewamo to Portland, and from Pewamo to Macherton, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Stuart presented the memorial of Giles S. Isham, praying a grant of land in the proposed territory of Arizona, for the purpose of establishing a colony of industrious farmers, mechanics, and artisans; which was referred to the Committee on Territories.

Mr. Stuart presented two petitions of citizens of Michigan, praying the improvement of the harbor of Mackinaw city, and the erection of a fort, a light-house, and a custom-house at that point; which were referred to the Committee on Commerce.

Mr. Seward presented resolutions of the legislature of New York, in favor of the enactment of a law to provide for the final settlement and payment of the half-pay for life, which was promised by the continental Congress to the officers of the revolutionary army; which were referred to the Committee on Revolutionary Claims and ordered to be printed.

Mr. Douglas presented a memorial of the pre-emptors of the island of Rock Island, in Illinois, praying to be protected in their pre-emption rights; which was referred to the Committee on Public Lands.

On motion by Mr. Kennedy,

Ordered, That the petition of the legal representatives of John G. Mackall, on the files of the Senate, be referred to the Committee on Claims.

Mr. Harlan presented the petition of Henry King, Frederick W. De Kantzow, and Robert McCabe, praying a patent for manufacturing Russia sheet-iron; which was referred to the Committee on Patents and the Patent Office.

Mr. Harlan presented a petition of citizens of Iowa, praying the enactment of a general relief law; which was referred to the Committee on the Judiciary.

Mr. Wright presented resolutions of the legislature of New Jersey, in favor of restoring to New Jersey the ports of Camden and Jersey City, and of making them, if necessary, ports of entry; also, of establishing ports of entry at Tom's River and Atlantic City, and a modification of the laws regulating the coasting trade; which were referred to the Committee on Commerce and ordered to be printed.

Mr. Wright presented resolutions of the legislature of New Jersey,

in favor of appropriations for the better preservation of life and property in case of shipwreck, and for the more effective working of the government apparatus on the coast of New Jersey; which were referred to the Committee on Commerce and ordered to be printed.

Mr. Wright presented resolutions of the legislature of New Jersey in favor of a donation of public lands to that State, in common with the other States of the Union, for establishing and maintaining agricultural colleges therein; which were referred to the Committee on Public Lands and ordered to be printed.

Mr. Wright presented resolutions of the legislature of New Jersey in favor of the advancement of Lieutenant M. F. Maury to that position in the navy to which his distinguished services entitle him.

Ordered, That they lie on the table and be printed.

On motion by Mr. Gwin,

Ordered, That the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad, from the Missouri river, to San Francisco, in the State of California, be printed, with the several amendments intended to be proposed thereto.

Mr. Bigler submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Library be instructed to inquire into the propriety of purchasing the equestrian portrait of Washington, by Rembrandt Peale, now on exhibition in the rotunda of the capitol.

Mr. Bright submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested, if not incompatible with the public interest, to communicate to the Senate a copy of the instructions which have been given William B. Reed, the commissioner of the United States in China.

On motion by Mr. Bell,

Ordered, That the petition and papers of Thomas B. Eastland, on the files of the Senate, be referred to the Court of Claims.

Mr. Yulee, from the Committee on Post offices and Post Roads, to whom was referred the memorial of John M. Hinton, submitted an adverse report, (No. 154;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Lucretia Bell, heir of Jane Van Deen, widow of Abraham Van Buskirk, submitted an adverse report, (No. 152;) which was ordered to be printed.

On motion by Mr. Foster,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Sarah W. Halsey, and that she have leave to withdraw her petition and papers.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Thomas R. Carman, submitted a report, (No. 153;) which was ordered to be printed.

On motion by Mr. Foster,

Ordered, That Thomas R. Carman have leave to withdraw his petition and papers.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the petition of Martin Layman, reported a bill (S. 235) for the relief of Martin Layman; which was read and passed to a second reading.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 236) granting public lands to the Territory of Kansas for the purpose of constructing certain railroads therein; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the memorial of Arnold Harris and S. F. Butterworth, submitted a report (No. 151) accompanied by a bill (S. 237) for the relief of Arnold Harris and Samuel F. Butterworth.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Kennedy, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 212) for the relief of N. C. Weems, of Louisiana, reported it without amendment, and submitted a report, (No. 150;) which was ordered to be printed.

Mr. Bright, from the Committee on Public Buildings and Grounds, reported a bill (S. 238) to authorize the United States to take lands in the District of Columbia for public purposes; which was read and passed to a second reading.

The said bill was read the second time, by unanimous consent.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives concurs in the first, second, third, fourth, fifth, sixth, seventh, and ninth amendments of the Senate to the bill of the House (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers; and it concurs in the eighth amendment of the Senate to the said bill, with amendments, in which it requests the concurrence of the Senate.

The Senate proceeded to consider the amendments of the House of Representatives to the eighth amendment of the Senate to the said bill (H. R. 313;) and

On motion by Mr. Pugh,

Resolved, That the Senate concur in the amendments of the House to the said eighth amendment of the Senate to the said bill.

Ordered, That the Secretary notify the House of Representatives thereof.

The bill (S. 232) to establish an auxiliary guard for the protection of public and private property in the city of Washington, and repealing all acts heretofore passed in relation to that subject, was read the second time and considered as in Committee of the Whole; and

After debate,

The hour having arrived for the consideration of the special order of the day,

The Senate proceeded to consider the bill (S. 86) for the admission of the State of Minnesota into the Union.

On motion by Mr. Brown,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed the consideration of the bill (S. 232) to establish an auxiliary guard for the protection of public and private property in the city of Washington, and repealing all acts heretofore passed in relation to that subject.

The bill having been amended,

On motion by Mr. Johnson, of Tennessee, that the bill be recommitted to the Committee on the District of Columbia, with instructions to report a bill to the Senate retroceding the District of Columbia to the State of Maryland, reserving the public buildings and public grounds, &c., and that said committee report at the earliest moment practicable;

A motion was made by Mr. Hale to amend the proposed motion by striking out the words: "reserving the public buildings and public grounds;" and it was determined in the affirmative.

On the question to agree to the motion of Mr. Johnson, of Tennessee, as amended on the motion of Mr. Hale,

It was determined in the negative.

The bill, having been amended, was reported to the Senate; and the amendments were concurred in.

On motion by Mr. Trumbull, to amend the bill, section 1, lines 11 and 12, by striking out the words, "the President, by and with the advice and consent of the Senate," and inserting: *the circuit court of the United States for the District of Columbia*,

It was determined in the negative, { Yeas..... 17
Nays 29

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Broderick, Chandler, Clark, Crittenden, Dixon, Doolittle, Foster, Hale, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Wright, Yulee.

On motion by Mr. Stuart, to amend the bill by striking out the following:

"SEC. 5. *And be it further enacted*, That whenever, in the judgment of the President of the United States, the same may be required, he be, and is hereby, authorized to order such temporary increase of the guard as, in his opinion, may be expedient, not to exceed two hundred men, who shall be paid at the rate of two dollars per day while in service, and be dismissed so soon as, in the opinion of the President, their services may no longer be required."

A motion was made by Mr. Wade, that the Senate adjourn ; and
It was determined in the negative.

The question recurring on agreeing to the amendment proposed by
Mr. Stuart, viz: to strike out the fifth section,

It was determined in the affirmative, { Yeas 24
Nays 21

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Biggs, Broderick, Chandler, Clark, Crittenden, Doolittle, Douglas, Fitzpatrick, Foster, Hale, Harlan, Houston, Hunter, Johnson, of Tennessee, King, Seward, Simmons, Slidell, Stuart, Trumbull, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bigler, Bright, Brown, Clay, Dixon, Evans, Fessenden, Fitch, Green, Hammond, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Pugh, Sebastian, Thomson, of New Jersey, Wright.

On motion by Mr. Crittenden, to amend the bill by adding thereto the following:

SEC. 9. *And be it further enacted, That this act shall continue in force for two years only from its passage.*

It was determined in the negative.

No further amendment being proposed,

Ordered, That the bill be engrossed and read a third time.

The bill was read a third time.

On the question, "Shall the bill pass?"

It was determined in the affirmative, { Yeas 34
Nays 9

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Brown, Chandler, Clark, Clay, Dixon, Douglas, Evans, Fessenden, Fitch, Foster, Green, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Pugh, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Crittenden, Doolittle, Hale, Harlan, Johnson, of Tennessee, King, Trumbull.

So it was

Resolved, That this bill pass.

On motion by Mr. Brown, the title was amended.

Ordered, That the title thereof be, "An act to establish an auxiliary guard for the protection of persons and property in the city of Washington, and repealing all acts heretofore passed in relation to that subject."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Douglas, from the Committee on Territories, reported a bill

(S. 239) for the admission of Oregon into the Union; which was read and passed to the second reading.

On motion by Mr. Douglas,

Ordered, That the document accompanying the bill be printed.

On motion by Mr. Clay,

The Senate adjourned.

*

TUESDAY, APRIL 6, 1858.

The President *pro tempore* laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, information as to the condition of the United States ship Franklin; which was read.

Ordered, That it be referred to the Committee on Naval Affairs.

Mr. Seward presented a petition of citizens of Canajoharie, New York, praying the enactment of a general bankrupt law, for the relief of insolvent debtors; which was referred to the Committee on the Judiciary.

Mr. Seward presented a petition of citizens of the State of New York, praying the enactment of a law granting pensions to the soldiers of the war of 1812, and to the widows of those deceased; which was referred to the Committee on Pensions.

Mr. Seward presented a petition of citizens of Seneca county, New York, praying that pensions may be granted to the soldiers of the war of 1812 who served from three to eighteen months; which was referred to the Committee on Pensions.

Mr. Seward presented the petition of Henry R. Schoolcraft, late acting superintendent of Indian affairs in Michigan, praying to be allowed a commission on disbursements; which was referred to the Committee on Claims.

Mr. Foot presented four petitions of inhabitants of Vermont, praying the establishment of a mail-route from Castleton to Sudbury, in that State; which were referred to the Committee on Post Offices and Post Roads.

Mr. Iverson presented the memorial of William M. Varnum, agent of the State of Georgia, praying that the proper accounting officers of the treasury be authorized to ascertain and pay the amount due that State for money advanced in the suppression of Indian hostilities; which was referred to the Committee on Military Affairs and the Militia.

Mr. Bigler presented a supplemental memorial of the Magnetic and New England Union Telegraph Companies, praying to be protected against foreign monopolies; which was referred to the Committee on the Judiciary.

On motion by Mr. Bigler, that the memorial be printed.

Ordered, That it be referred to the Committee on Printing.

Mr. Houston submitted the following resolution for consideration :

Resolved, That there be printed in pamphlet form, for the use of the Senate, ten thousand copies of the addresses made by the members of the Senate and members of the House of Representatives upon the occasions of the deaths of the Hon. A. P. Butler, of South Carolina, Hon. James Bell, of New Hampshire, and Hon. Thomas J. Rusk, of Texas, late Senators of the United States, and that the printer of the Senate be directed to prepare them in a similar manner to the eulogies on the life of the Hon. John M. Clayton.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Noah Smith, reported a bill (S. 240) for the relief of Noah Smith, late a private in the Army of the United States; which was read and passed to a second reading.

Mr. Stuart moved that the Secretary be directed to execute now the order of the Senate, made on Friday last, directing him to communicate to the House of Representatives the action of the Senate on the amendment of the House to the bill of the Senate for the admission of Kansas as a State into the Union.

Mr. Johnson, of Arkansas, raised a question of order, whether the motion of Mr. Stuart, in preference to the presentation of petitions and the submission of reports, was in order.

The President of the Senate pro tempore decided that, as a privileged motion, the motion of the senator from Michigan was in order.

Debate arising on the motion by Mr. Stuart, the hour arrived for the consideration of the special order of the day, and the President pro tempore announced the bill (S. 86) for the admission of the State of Minnesota into the Union.

Further debate arising,

Mr. Douglas moved that the special order of the day be proceeded in.

The President of the Senate pro tempore decided that the privileged motion by Mr. Stuart had priority over the special order of the day, (bill S. 86.)

On motion by Mr. Iverson that the motion by Mr. Stuart, that the Secretary be directed to execute now the order of the Senate of Friday last, lie on the table,

It was determined in the affirmative, { Yeas..... 26
Nays..... 24

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Mr. Stuart, referring to the manual, page 79, called upon the President pro tempore to cause the order of April 2, to notify the House of Representatives of the disagreement of the Senate to the amend-

ment of the House of Representatives to the bill (S. 161) for the admission of Kansas into the Union, to be executed without delay.

The President of the Senate pro tempore stated that he regarded the vote on the motion to lay the motion by Mr. Stuart on the table as the expression of the will of the Senate, and therefore declines a compliance with the suggestion.

Mr. Bright, thereupon, moved that the Senate reconsider the vote of April 2, disagreeing to the amendment of the House of Representatives to the bill (S. 161) for the admission of the State of Kansas into the Union; and

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 86) for the admission of the State of Minnesota into the Union.

An amendment being proposed by Mr. Douglas,

On motion by Mr. Mason,

The Senate adjourned.

WEDNESDAY, APRIL 7, 1858.

The President pro tempore laid before the Senate a letter of the Secretary of War, enclosing a petition of the paymaster's clerks of the army, praying an increase of compensation, and recommending it to the favorable consideration of Congress; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The President pro tempore laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, information in relation to the North Carolina arsenal; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

Mr. Bigler presented a memorial of the mayor and board of common councilmen of Atchison, Kansas Territory, praying that land may not be granted to the St. Joseph and Topeka Railroad Company, but that aid be granted for a railroad connexion between the valley of Kansas river and the Missouri river on the northwestern border of Kansas; which was referred to the Committee on Public Lands.

Mr. Seward presented a petition of citizens of the city of New York, praying the enactment of a general relief law; which was referred to the Committee on the Judiciary.

On motion by Mr. Seward,

Ordered, That the petition of Catharine Jacobs, widow of Francis Jacobs, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Doolittle presented a petition of citizens of Superior, Wisconsin, in favor of a Northern Pacific Railroad, and praying that Superior may be made one of the termini of said road.

Ordered, That it lie on the table.

Mr. Brown presented a petition of the Rev. A. G. Carothers and others, citizens of Washington, praying that the public reservation in said city opposite the "Assembly's Church," may be enclosed; which was referred to the Committee on Public Buildings and Grounds.

Mr. Allen presented the memorial of John Gardner and his associates, praying that the Postmaster General may be authorized to contract with them for carrying the mails in steamships between the United States, the West Indies, Brazil, and the Argentine Republics; which was referred to the Committee on Post Offices and Post Roads.

Mr. Cameron presented additional papers in support of the claim of William Reynolds; which were referred to the Committee on Naval Affairs.

Mr. Mallory presented a memorial of citizens of Apalachicola, Florida, remonstrating against the repeal of the law creating the light-house board; which was referred to the Committee on Commerce.

On motion by Mr. Fessenden,

Ordered, That the petition of Miles Devine, with the adverse report thereon, be recommitted to the Committee on Claims.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of Texas, and to authorize the President to call into the service of the United States two additional regiments of volunteers.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Joseph G. Heaton, and that it be referred to the Committee on Claims.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the memorial of J. K. Kane and others, in behalf of the widow of Foxhall A. Parker.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of William P. Paff; the resolution of the legislature of Texas relating to the protection of the frontier of the State; and the resolution of the State military convention held at the city of Columbus, Ohio.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of William W. Hubbell, and that it be referred to the Committee on Naval Affairs.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of War communicating the report of Lieutenant Beale of his exploration for a wagon road from Fort Defiance to the western borders of California, reported that the same be printed; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the memorial of the Magnetic Telegraph Company and of the New England Union Telegraph Com-

pany, also the motion to print the supplemental memorial of the said companies, reported in favor of printing the said memorials; and

The report was agreed to.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the papers in relation to the claim of Nannie Denman, submitted an adverse report, (No. 159;) which was ordered to be printed.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Joseph Paul, submitted an adverse report, (No. 160;) which was ordered to be printed.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the memorial of the guardians of the minor children of Major J. R. Hagner, late of the United States army, submitted an adverse report, (No. 161;) which was ordered to be printed.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Charles West, submitted an adverse report, (No. 162;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of the legal representatives of James Purvis, submitted an adverse report, (No. 163;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of John W. Pray, submitted an adverse report, (No. 164;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the papers relating to the claim of Catherine Kellar, submitted an adverse report, (No. 165;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of John Mason and others, heirs of Jeremiah Gilman, submitted an adverse report, (No. 166;) which was ordered to be printed.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the additional papers relating to claims to lands in the Muncie reservation, in Kansas, and that they be referred to the Secretary of the Interior.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Charles F. Bruckner, administrator of William White, and that it be referred to the Secretary of the Interior.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of James Hudgins, son and administrator of Ruth Murphy, widow of John Hudgins, and that it be referred to the Secretary of the Interior.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on Military Affairs and the Militia, be discharged from the further consideration of the bill (S. 178) to provide for the organization of a regiment of mounted volunteers for

the defence of the frontier of Texas, and to authorize the President to call into the service of the United States four additional regiments of volunteers.

The Senate proceeded to consider the said bill (S. 178,) as in Committee of the Whole, and

On motion by Mr. Johnson, of Arkansas,

Ordered, That it lie on the table.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 227) authorizing the organization of a fire department in the District of Columbia, reported it without amendment.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the petition of the lay members of the Roman Catholic churches in the District of Columbia, reported a bill (S. 241) relating to the manner of holding and transmitting church property therein mentioned; which was read and passed to a second reading.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of John Brest, submitted a report, (No. 155,) accompanied by bill (S. 242) for the relief of John Brest a soldier in the war of 1812.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the memorial of Virginia Rose and other heirs of Captain Alexander Rose, submitted a report, (No. 156,) accompanied by a bill (S. 243) for the relief of the heirs of Captain Alexander Rose.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Kennedy asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 26) for the benefit of the nearest male heir of the late Major General Towson, United States army, deceased; which was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

Mr. Bigler asked and, by unanimous consent, obtained leave to bring in a bill (S. 244) for the relief of Henry G. Carson; which was read the first and second times by unanimous consent, and referred to the Committee on Claims.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the bill (S. 165) authorizing the construction of a dry dock for the naval service, reported it without amendment, and submitted a report (No. 157) on the subject; which was ordered to be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of George Jewett, submitted a report, (No. 158,) accompanied by a bill (S. 245) to authorize the settlement of the accounts of Luther Jewett, late collector of the district of Portland and Falmouth, in the State of Maine.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Green asked and, by unanimous consent, obtained leave to bring in a bill (S. 246) to provide for the geological and mineralogical survey of the Territory of New Mexico; which was read the first

and second times, by unanimous consent, and referred to the Committee on Public Lands.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 313,) I am directed to bring it to the Senate for the signature of its President.

The President pro tempore signed the enrolled bill, (H. R. 313,) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

M. Bright asked and obtained leave to withdraw the motion submitted by him yesterday, that the Senate reconsider the vote disagreeing to the amendment of the House of Representatives to the bill of the Senate (S. 161) for the admission of the State of Kansas into the Union.

M. Jones reported from the committee that they, this day, presented to the President of the United States the following enrolled bills and resolution:

H. R. 313. An act to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President to call into the service of the United States two additional regiments of volunteers.

S. 176. An act to acquire certain lands needed for the Washington aqueduct in the District of Columbia.

S. 24. A resolution authorizing Lieutenant William N. Jeffers to accept a sword of honor from her Majesty the Queen of Spain.

The Senate resumed the consideration of the resolution submitted by Mr. Allen, the 25th January, relating to the printing and binding of certain obituary addresses; reported on adversely by the Committee on Printing.

On motion by Mr. Houston, to amend the resolution by striking out all after "Resolved" in the first line; and inserting, "That there be printed in pamphlet form, for the use of the Senate, ten thousand copies of the addresses made by the members of the Senate and members of the House of Representatives, upon the occasions of the deaths of the honorable A. P. Butler, of South Carolina; honorable James Bell, of New Hampshire; and honorable Thomas J. Rusk, of Texas, late senators of the United States; and that the printer of the Senate be directed to prepare them in a similar manner to the eulogies on the life of the honorable John M. Clayton;

It was determined in the negative, { Yeas.. 16
Nays..... 26

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bright, Broderick, Evans, Fitzpatrick, Green, Hammond, Houston, Jones, Kennedy, Mason, Seward, Simmons, Stuart, Thompson, of Kentucky, Wright.

Those who voted in the negative are,

Messrs. Biggs, Brown, Cameron, Chandler, Clay, Crittenden, Dixon, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, Hunter,

Iverson, Johnson, of Arkansas, Johnson, of Tennessee, King, Polk, Pugh, Sebastian, Slidell, Toombs, Trumbull, Wade, Wilson.

So the proposed amendment was rejected.

On the question to agree to the resolution?

It was determined in the negative.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 86) for the admission of the State of Minnesota into the Union; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas..... 49
Nays 3

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Biggs, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Evans, Fitch, Fitzpatrick, Foot, Foster, Green, Gwin, Hale, Hamlin, Hammond, Harlan, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mallory, Mason, Polk, Pugh, Sebastian, Seward, Simmons, Slidell, Stuart, Sumner, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Clay, Kennedy, Yulee.

So it was

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, APRIL 8, 1858.

On motion by Mr. Mason,

Ordered, That the memorial of Charles S. Todd, on the files of the Senate, be referred to the Committee on Foreign Relations.

Mr. Wilson presented a petition of citizens of Massachusetts, praying the enactment of a general relief law; which was referred to the Committee on the Judiciary.

Mr. Clark presented the memorial of David D. Porter, son and executor of the late Commodore David Porter, praying the payment of his father's claims against the Mexican government, for services rendered that government, out of the Mexican indemnity fund, or otherwise; which was referred to the Committee on Claims.

Mr. Bright presented the memorial of the president and directors of the Metropolitan Railroad Company, praying an act of incorporation and a grant of land to aid in the construction of their road within the District of Columbia; which was referred to the Committee on Public Lands.

Mr. Mallory presented the memorial of William Nelson, a lieutenant in the navy, praying an allowance, in the adjustment of his accounts, for certain moneys lost, and for which he cannot account; which was referred to the Committee on Naval Affairs.

Mr. Douglas presented a memorial of William Tompkins and others, citizens of Woodford county, Illinois, praying that pensions may be granted to the soldiers of the war of 1812; which was referred to the Committee on Pensions.

Mr. Douglas presented the memorial of John H. Litchfield and others, light-house keepers, praying an increase of compensation; which was referred to the Committee on Commerce.

Mr. Douglas presented a petition of officers of insurance companies and others, of Chicago, Illinois, praying the repeal of the act of March 5, 1856, authorizing the Secretary of the Treasury to change the names of vessels in certain cases; which was referred to the Committee on Commerce.

Mr. Douglas presented a petition of officers of insurance companies and others, of Chicago, Illinois, praying the enactment of a law requiring sailing vessels to carry lights; which was referred to the Committee on Commerce.

On motion by Mr. Douglas,

Ordered, That the petition of Stephen R. Rowen, on the files of the Senate, be referred to the Committee on Claims.

Mr. Douglas presented a petition of citizens of New York, praying that the public lands may be granted in farms or lots, free of cost, to actual settlers not possessed of other lands; which was referred to the Committee on Public Lands.

On motion by Mr. Evans,

Ordered, That the Committee on Patents and the Patent Office be discharged from the further consideration of the petition of Isaac W. Brown, and that it be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the resolution in relation to the expediency of defining more precisely, by law, whether by the date of shipment at or departure from foreign ports, the value of merchandise imported into the United States shall be fixed for the purpose of estimating the duties thereon, and that it be referred to the Committee on Finance.

Mr. Seward presented additional papers, relating to the petition of the heirs of Samuel White; which were referred, with the papers on file, to the Committee on Public Lands.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs, in the inquiries heretofore ordered to be made for the establishment of a national

foundry, be instructed to include in such inquiry sites at Harper's Ferry and at Shephardstown, in Virginia.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to transmit to the Senate a copy of the report lately made by a board of army officers appointed to examine and test the improvement in fire-arms invented and patented by Captain J. N. Ward, of the United States army, with his opinion as to the expediency and propriety of adopting said improvement, either in the construction of new arms or altering the old arms of the United States, and of an appropriation by Congress for that purpose.

Mr. Johnson, of Arkansas, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of authorizing by law the holding of a second term, annually, of the United States circuit court in and for the State of Arkansas; and also the appointment of an additional district judge for the second judicial district of Arkansas.

Mr. Johnson, of Arkansas, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be requested to inform the Senate what measures, if any, are being taken, and under what law, for the publication of the results of the United States naval exploring and surveying expedition to the North Pacific ocean and China seas, under the command of Lieutenant John Rodgers, in the years 1853-'54-'55-'56; and also of the results of the United States naval expedition to the La Plata river, in the same years, under the command of Lieutenant Thomas J. Page; or for the engraving of any of the maps, charts, or drawings, which are intended to illustrate the reports of these expeditions to Congress; and out of what fund or appropriation in each and every case of work done in the premises have payments for the same been made, and if not paid, then from what fund or appropriation is it designed to make payment; and also to inform the Senate under whose supervision these works are being prepared, and how many parties are now engaged upon the preparation of the materials for them severally.

A message from the President of the United States, by Mr. Henry, his secretary.

Mr. President: The President of the United States this day approved and signed an act (S. 176) to acquire certain lands needed for the Washington Aqueduct in the District of Columbia, and a resolution (S. 24) authorizing Lieutenant William N. Jeffers to accept a sword of honor from her Majesty the Queen of Spain.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Hamlin, from the Committee on Commerce, who were instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 247) to amend an act entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and

fisheries, and for registering the same," passed February 18, 1793; which was read and passed to a second reading.

Mr. Hamlin, from the Committee on Commerce, who were instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 248) to amend or define the act of July 29, 1850, entitled "An act providing for recording the conveyances of vessels and for other purposes;" which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the memorial of the Milwaukie and Mississippi Railroad Company, submitted a report, (No. 167,) accompanied by a bill (S. 249) to release to the Milwaukie and Mississippi Railroad Company the interest of the United States to a certain parcel of land.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R. 208) for the relief of the heirs of Alexander Stevenson, reported it without amendment.

Mr. Clark, from the Committee on Claims, to whom was referred the memorial of George M. Weston, commissioner of the State of Maine, submitted a report, (No. 168,) accompanied by a bill (S. 250) to provide for quieting certain land titles in the late disputed territory in the State of Maine, and for other purposes.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Broderick asked and, by unanimous consent, obtained leave to bring in a bill (S. 251) in relation to conflicting land claims; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of Charles McCormick, submitted a report, (No. 169,) accompanied by a bill (S. 252) for the relief of Charles McCormick, assistant surgeon in the United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Douglas, from the Committee on Territories, to whom was referred the bill (S. 8) to organize the Territory of Arizona, and to create the office of surveyor general therein; to provide for the examination of private land claims; to grant donations to actual settlers; to survey the public and private lands, and for other purposes, reported it with an amendment.

The President pro tempore laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, a report of the Commissioner of the General Land Office, respecting the cancellation of certain locations in the Plattsburg district, in Missouri; which was read.

Ordered, That it be referred to the Committee on Public Lands.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 6) making appropriations for the consular and diplo-

matic expenses of the government for the year ending the 30th of June, 1859, reported it with amendments.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all government service, by railroad from the Missouri river to San Francisco, in the State of California, and having been amended :

On motion by Mr. Hunter,

Ordered, That the further consideration thereof be postponed to, and be the order of the day for, one o'clock to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 6) making appropriations for the consular and diplomatic expenses of government, for the year ending the 30th of June, 1859, and having been amended, the bill was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

On motion by Mr. Simmons,

Ordered, That the further consideration of the bill be postponed until to-morrow.

The Senate resumed the consideration of the amendment of the House of Representatives to the resolution of the Senate (S. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy ;' " and the amendment reported by the Committee on Naval Affairs having been agreed to, and the amendment being further amended, on the motion of Mr. Fessenden, it was—

Resolved, That the Senate concur in the amendment of the House of Representatives to the said resolution, with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments of the Senate to the amendment of the House to the said resolution.

The Senate resumed, as in Committee of the Whole, the consideration of the resolution (S. R. 7) directing the presentation of a medal to Commodore Hiram Paulding ; and

After debate,

On motion by Mr. Allen,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Allen, that when the Senate adjourn it be to Monday next,

It was determined in the affirmative, { Yeas..... 24
Nays..... 18

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Bright, Broderick, Cameron, Clay, Crittenden, Fitzpatrick, Green, Hammond, Hunter, Kennedy, King, Mason, Pearce, Polk, Sebastian, Seward, Stuart, Thomson, of New Jersey, Toombs, Trumbull, Wright.

Those who voted in the negative are,

Messrs. Biggs, Brown, Clark, Collamer, Dixon, Doolittle, Fessenden, Fitch, Foster, Harlan, Houston, Iverson, Johnson, of Tennessee, Jones, Pugh, Slidell, Wade, Wilson.

The bill (S. 182) for the enforcement of mechanics' liens on buildings, and so forth, in the District of Columbia, was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Clark, to amend the bill by striking out the sixteenth section.

On motion by Mr. Brown,

Ordered, That the further consideration of the bill be postponed until to-morrow.

The bill (S. 211) to facilitate communication with the army in Utah was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Wilson,

Ordered, That the further consideration thereof be postponed to, and be the order of the day for, Monday next, at half-past 12 o'clock.

The bill (S. 191) for the benefit of public schools in the city of Washington was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Hunter,

The Senate adjourned.

MONDAY, APRIL 12, 1858.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives adheres to its amendment to the bill of the Senate (S. 161) for the admission of the State of Kansas into the Union, disagreed to by the Senate; and

It has passed a bill (H. R. 306) to supply deficiencies in the appropriation for the service of the fiscal year ending the 30th of June, 1858; in which it requests the concurrence of the Senate.

The bill (H. R. 306) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

On motion by Mr. Polk,

Ordered, That at one o'clock the Senate will adjourn.

Mr. Hale presented an additional paper in support of the claim of A. G. Allen, late navy agent at Washington city; which was referred to the Committee on Naval Affairs.

Mr. Hale presented a petition of George Masson and others, inmates of the Military Asylum in the District of Columbia, praying that an allowance may be made them for their support in preference to the alternative of becoming inmates of the Military Asylum.

Mr. Hale submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Ordered, That the petition of George Masson and others, inmates of the Military Asylum in the District of Columbia, be referred to a select committee, to consist of three members, to be appointed by the chair, with instructions to inquire into the manner in which this institution has been conducted, and into the condition and treatment of its inmates ; that the said committee have power to send for persons and papers, and to report by bill or otherwise.

Mr. Bigler submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of the Senate be directed to request the Court of Claims to return to the Senate the memorial and papers of the heirs of General Stephen Moylan, deceased, and that said papers, when received, be referred to the Committee on Revolutionary Claims.

Mr. Iverson presented a letter of M. Blair, late solicitor of the Court of Claims, recommending an amendment of the act establishing the Court of Claims ; which was referred to the Committee on Claims.

Mr. Hammond presented a memorial of officers of insurance companies, and others, of Charleston, South Carolina, and resolutions of the Chamber of Commerce of Charleston, remonstrating against the repeal of the act establishing the light-house board ; which were referred to the Committee on Commerce.

Mr. Collamer presented the petition of William Wheelwright, praying that measures may be taken for the establishment of a direct communication with the South American States by mail steamers ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Hamlin presented the memorial of John Ewen, president of the Pennsylvania Coal Company, praying certain amendments to the act of 1793, for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for registering the same.

Ordered, That it lie on the table.

Mr. Mallory submitted the following resolution for consideration :

Resolved, That the Secretary of the Navy be authorized and instructed to cause a thorough examination of the iron, coal, and timber, of the Deep River country, in the State of North Carolina ; and that he report upon the expediency of establishing, at some point in that State, machine and work shops for the construction of engines, boilers, &c., for naval vessels ; and that he report the same to Congress at its next session.

Mr. Trumbull, from the Committee on Patents and the Patent Office, to whom was referred the petition of Bancroft Woodcock, submitted an adverse report, (No. 171 ;) which was considered, by unanimous consent ; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be rejected.

Ordered, That the report be printed.

Mr. Trumbull, from the Committee on Patents and the Patent Office, to whom was referred the petition of John A. Pitts and Hiram A. Pitts, submitted an adverse report, (No. 172 ;) which was considered, by unanimous consent ; and, in concurrence therewith,

Resolved, That the prayer of the petitioners be rejected, and that they have leave to withdraw the transcripts of judicial proceedings accompanying their petition.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Samuel James, Ignatius Lucas, Charles Tilley, and Thomas S. Binge, submitted an adverse report, (No. 173;) which was considered, by unanimous consent; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the petition.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of F. M. Gunnell, submitted a report, (No. 170,) accompanied by a bill, (S. 253,) for the relief of F. M. Gunnell, a passed assistant surgeon in the navy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the memorial of Ambrose Whitlock, submitted an adverse report, (No. 174;) which was considered, by unanimous consent; and in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the petition.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the memorial of the legal representatives of Rinaldo Johnson, deceased, submitted an adverse report, (No. 175;) which was considered, by unanimous consent, and in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the memorial.

Ordered, That the report be printed.

On motion by Mr. Hale,

The Senate adjourned.

TUESDAY, APRIL 13, 1858.

The President pro tempore announced the appointment of Mr. Hale, Mr. Mason, and Mr. Bigler, as the select committee on the memorial of George Masson and others, relative to the military asylum in the District of Columbia.

The President pro tempore presented a memorial of the legislative assembly of Kansas, praying an appropriation for the erection of a penitentiary at Delaware City, in that Territory; which was read.

Ordered, That it be referred to the Committee on Territories.

Mr. Gwin presented the petition of John C. Carter, a lieutenant in the navy, praying to be allowed the balance of an appropriation made by the act for his relief, passed February 13, 1855; which was referred to the Committee on Naval Affairs.

The President pro tempore laid before the Senate a letter of the assistant clerk of the Court of Claims, returning, in compliance with a resolution of the Senate, the memorial and papers of the heirs of General Stephen Moylan; which was read.

Ordered, That it be referred, with the memorial and papers, to the Committee on Revolutionary Claims.

Mr. Mason presented the memorial of Jonathan M. Bennett, auditor of public accounts of the State of Virginia, praying the payment of a judgment recovered against that State by the administrator of Isaac Holmes, deceased, for the commutation pay of said Holmes, as a paymaster, in the revolution; which was referred to the Committee on Revolutionary Claims.

Mr. Stuart presented a memorial of Jason Smith and others, praying to be allowed pensions for military services in the war of 1812; which was referred to the Committee on Pensions.

Mr. Allen presented the memorial of E. Carrington Bowers, a lieutenant in the navy, who was placed on furlough and afterwards transferred to leave of absence, praying to be allowed the difference of pay between those positions; which was referred to the Committee on Naval Affairs.

Mr. Thomson, of New Jersey, presented the memorial of W. Brenton Boggs, a purser in the North Pacific Exploring Expedition, praying to be allowed additional pay; which was referred to the Committee on Naval Affairs.

Mr. King presented the petition of James T. Wild and the other heirs of Daniel Wild, praying indemnity for French spoliations prior to the year 1800.

Ordered, That it lie on the table.

Mr. King presented the memorial of Israel Moses, praying the adoption of an improved ambulance or carriage, invented by him, for the transportation of the sick and wounded of an army; which was referred to the Committee on Military Affairs and the Militia.

Mr. Fessenden presented a petition of citizens of Maine, praying the enactment of a law granting pensions to the surviving officers and soldiers of the army and navy of the war of 1812; which was referred to the Committee on Pensions.

Mr. Kennedy presented a memorial of merchants of Baltimore, Maryland, remonstrating against the repeal of the law establishing the light-house board; which was referred to the Committee on Commerce.

Mr. Brown presented a petition of citizens of Washington city, praying that the Belgian pavement may be adopted in repairing Pennsylvania avenue and in paving the streets adjacent to the proposed enlargement of the Capitol grounds; which was referred to the Committee on the District of Columbia.

On motion by Mr. Wade,

Ordered, That Thomas Hazen have leave to withdraw his petition and papers.

The Senate proceeded to consider the resolution, submitted yesterday by Mr. Mallory, relative to the establishment of machine and work

shops in the Deep River country, North Carolina, and the examination of the iron, coal, and timber of that region; and

The resolution was agreed to.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Elizabeth A. Middleton, submitted an adverse report, (No. 180;) which was ordered to be printed

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Nancy Hammond, daughter of James Dennison, submitted an adverse report, (No. 181;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of Catharine L. McLeod, only surviving child of Ebenezer Markham, submitted an adverse report, (No. 182;) which was ordered to be printed.

Mr. Evans, from the Committee on Revolutionary Claims, to whom was referred the petition of inhabitants of Yates county, New York, in behalf of Martha Brown, submitted an adverse report thereon.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution to print the report of the Secretary of the Navy, communicating an abstract of offers for furnishing articles falling under the cognizance of the Bureau of Yards and Docks, reported in favor of printing the report; and

The report was agreed to.

Mr. Polk, from the Committee on Claims, to whom was referred the petition of Richard G. Dove, submitted an adverse report, (No. 183;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of Adam Hays, submitted an adverse report, (No. 184;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of citizens of Michigan, in behalf of the children of Thomas Fitzgerald, submitted an adverse report, (No. 185;) which was ordered to be printed.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Jacob W. Morse, submitted an adverse report, (No. 186;) which was ordered to be printed.

Mr. Seward, from the Committee on Foreign Relations, to whom was referred the memorial of Townsend Harris, submitted a report, (No. 176,) accompanied by a bill (S. 254) for the relief of Townsend Harris.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the memorial of Anthony Caslo, or Castle, submitted a report, (No. 177,) accompanied by a bill (S. 255) for the relief of Anthony Caslo, a soldier of the war of 1812.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. King, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of the executor of Daniel Randall, submitted a report, (No. 178,) accompanied by a bill, (S. 256,) further

explanatory of an act approved 18th August, 1856, entitled "An act for the relief of Adam D. Stewart and of Alexander Randall, executor of Daniel Randall."

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bayard asked and, by unanimous consent, obtained leave to bring in a bill (S. 257) concerning appeals and writs of error; which was read the first and second times, by unanimous consent, and referred to the committee on the Judiciary.

Mr. Bayard asked and, by unanimous consent, obtained leave to bring in a bill, (S. 258,) concerning seamen; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the memorial of Agnes Slacke and the heirs of De Repentigny, submitted a report, (No. 179,) accompanied by a bill, (S. 259,) authorizing the courts to adjudicate the claim of the legal representatives of the Sieur De Bonne and of the Chevalier De Repentigny to certain land at the Sault Saint Marie, in the State of Michigan.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate proceeded to consider the resolution reported by the Committee on the Judiciary the 20th of March, relative to a revision of the decree and regulation made by Peter Parker, United States commissioner in China; and

The resolution was agreed to.

The following bills were read the second time and considered as in Committee of the Whole:

S. 162. Bill for the relief of John L. Allen and Asa R. Carter;

S. 208. Bill for the relief Fabius Stanley;

S. 245. Bill to authorize the settlement of the accounts of Luther Jewett, late collector of the district of Portland and Falmouth, in the State of Maine;

S. 248. Bill to amend or define the act of July 29, 1850, entitled "An act providing for recording the conveyances of vessels, and for other purposes;" and,

No amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read the third time, by unanimous consent.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 198) for the relief of Joseph Hardy and Alton Long was read the second time and considered as in Committee of the Whole.

On motion by Mr. Iverson,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, muni-

tions of war, army and navy supplies, and all government service, by railroad, from the Missouri river to San Francisco, in the State of California; and, having been amended, it was reported to the Senate and the amendments were concured in.

On motion by Mr. Iverson,

Ordered, That the further consideration thereof be postponed until one o'clock to-morrow, and be the order of the day.

The Senate proceeded to consider the resolution of the House of Representatives adhering to their amendment to the bill (S. 161) for the admission of the State of Kansas into the Union, disagreed to by the Senate.

On motion by Mr. Green, that the Senate insist on their disagreement to the said amendment of the House of Representatives, and ask a conference on the disagreeing votes of the two Houses thereon,

It was determined in the affirmative, { Yeas..... 30
Nays 24

On motion by Mr. King,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Sebastian, Sli-dell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

So it was

Resolved, That the Senate insist on their disagreement to the amendment of the House of Representatives to the bill (S. 161) for the admission of the State of Kansas into the Union, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Gwin,

Ordered, That the committee of conference on the part of the Senate be appointed by the President *pro tempore*; and

Mr. Green, Mr. Hunter, and Mr. Seward were appointed.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 211) to facilitate communication with the army in Utah.

On motion by Mr. Iverson, that the further consideration of the bill be postponed to the first Monday in December next,

It was determined in the affirmative, { Yeas..... 28
Nays 17

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Biggs, Bright, Clay, Collamer, Crittenden, Dixon,

Durkee, Evans, Fessenden, Fitzpatrick, Foot, Foster, Green, Hale, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Sebastain, Slidell, Toombs, Wright.

Those who voted in the negative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Doolittle, Douglas, Harlan, Jones, King, Polk, Pugh, Seward, Simmons, Stuart, Wade, Wilson.

So it was

Ordered, That the further consideration of the bill be postponed to the first Monday in December next.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, APRIL 14, 1858.

The President *pro tempore* laid before the Senate an address of a committee on behalf of the citizens of Great Salt Lake City, in the Territory of Utah, accompanied by a preamble and resolutions, setting forth their alleged grievances and praying redress from Congress; which was read.

On motion by Mr. Gwin, that they lie on the table,

It was determined in the affirmative, { Yeas 32
Nays 17

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Biggs, Bigler, Bright, Brown, Clay, Collamer, Doolittle, Douglas, Fitch, Fitzpatrick, Foot, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastain, Slidell, Stuart, Thomson, of New Jersey, Toombs, Trumbull, Wright.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Crittenden, Dixon, Fessenden, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Wade, Wilson, Yulee.

So it was

Ordered, That the address, with the preamble and resolutions, lie on the table.

Mr. Hale presented the petition of Eliphalet Lyman, praying to be allowed bounty land for his services as surgeon to a company of drafted militia in the war of 1812; which was referred to the Committee on Pensions.

Mr. Clay presented a memorial of citizens of Boston, remonstrating against the repeal of the act establishing the light-house board; which was referred to the Committee on Commerce.

Mr. Broderick presented resolutions of the legislature of California, in favor of an act of Congress granting to that State five per cent. of

the proceeds of the sales of the public lands in California for school purposes; which were referred to the Committee on Public Lands.

Mr. Broderick presented a communication from Andrew J. Moulder, superintendent of public instruction in California, relative to the sale of public lands in California; which was referred to the Committee on Public Lands.

Mr. Broderick presented a resolution of the legislature of California relative to land titles in that State; which was referred to the Committee on Private Land Claims.

Mr. Gwin presented a resolution of the legislature of California, in favor of the immediate admission of Kansas, as a State, into the Union, on an equal footing with the original States.

Ordered, That it lie on the table and be printed.

Mr. Gwin presented a resolution of the legislature of California in favor of a weekly mail route in certain counties of the State and the location of certain post offices therein; which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. Gwin presented a resolution of the legislature of California in favor of a weekly mail from Weaverville, via the mouth of Cañon creek, to Cañon city, in that State; which was referred to the Committee on Post Offices and Post Roads, and ordered to be printed.

On motion by Mr. Yulee,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the report of the Secretary of War with estimates for the pay of volunteers serving in Florida, and that it be referred to the Committee on Finance.

Mr. Seward presented the petition of J. Hosford Smith, praying an additional allowance during the time he was United States consul at Beirût, in Syria; which was referred to the Committee on Commerce.

Mr. Toombs presented two petitions of citizens of the city of New York, praying the enactment of a general relief law; which were referred to the Committee on the Judiciary.

Mr. Dixon presented the petition of Edson Fessenden, praying the renewal of his patent for a power weaving loom; which was referred to the Committee on Patents and the Patent Office.

Mr. King presented the petition of James Smith, praying to be allowed a pension for an injury received while a soldier in the army; which was referred to the Committee on Pensions.

On motion by Mr. King,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of Alexander Miller, and that it be referred to the Committee on Claims.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the resolution to inquire into the expediency of abolishing the military asylum, near Washington city, and of providing some other means of support for the inmates, and that it be referred to the select committee on the military asylum.

Mr. Brown presented a petition of citizens of Washington, in the District of Columbia, and owners of property in squares 687 and 688,

situated north and south of the east park of the Capitol, praying Congress to come to some decision in regard to the enlargement of the Capitol grounds during the present session; which was referred to the Committee on Public Buildings and Grounds.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the resolutions of the legislature of New Jersey, relative to the erection of a custom-house and post office at Trenton; and a resolution of the legislature of Iowa, respecting a marine hospital, custom-house, and post office at Muscatine, in Iowa.

Mr. Fitch, from the Committee on Indian Affairs, to whom were referred the papers relating to the claims of Daniel S. Ryan and Benjamin C. Wyley, administrators of R. D. Rowland, and of James M. Crook, submitted a report, (No. 188,) accompanied by a bill (S. 262) for the relief of the heirs or legal representatives of Richard D. Rowland, deceased.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bell, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 218) for the benefit of the captors of the British brig Caledonia, in the war of 1812, reported it without amendment.

Mr. Benjamin, from the Committee on the Judiciary, to whom was referred the memorial of William Cruickshank and others, submitted a report, (No. 187,) accompanied by a bill (S. 260) for the relief of William Cruickshank, J. S. Black, Calhoun Benham, and Frederick A. Sawyer, of San Francisco.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Kennedy, from the Committee on the District of Columbia, to whom was referred the petition of Michael Nash, reported a bill (S. 261) for the relief of Michael Nash, of the District of Columbia; which was read and passed to a second reading.

The Senate resumed the consideration of the resolution of the House of Representatives fixing a day for the adjournment of Congress; and

Pending debate, the hour fixed for the consideration of the special order of the day having arrived,

On motion by Mr. Hale, that the consideration of the special order be postponed, for the purpose of considering the resolution of the House of Representatives fixing a day for the adjournment of Congress,

It was determined in the affirmative, { Yeas..... 34
Nays..... 15

On motion by Mr. Gwin,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Biggs, Cameron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Polk, Pugh, Sebastian, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Trumbull, Wade.

Those who voted in the negative are,
Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Brown,
Gwin, Hunter, Iverson, Mallory, Seward, Wilson, Wright, Yulee.

So the motion of Mr. Hale was agreed to; and

The Senate resumed the consideration of the said resolution; and

On the question, to concur in the resolution,

It was determined in the affirmative, { Yeas..... 39
Nays 12

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Benjamin, Biggs, Bigler, Broderick, Cameron, Chandler,
Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Douglas, Dur-
kee, Evans, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Hale, Ham-
lin, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee,
Jones, King, Polk, Pugh, Sebastian, Seward, Simmons, Slidell, Stu-
art, Thomson, of New Jersey, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bell, Bright, Brown, Gwin, Hunter, Iverson, Ken-
nedy, Mallory, Wilson, Wright, Yulee.

So it was

Resolved, That the Senate concur in the resolution of the House of
Representatives fixing a day for the adjournment of Congress, as
follows :

Resolved, (the Senate concurring,) That the President of the Senate
and the Speaker of the House of Representatives declare their respec-
tive Houses adjourned sine die on the first Monday of June next, at
twelve o'clock m.

Ordered, That the Secretary notify the House of Representatives
thereof.

On motion by Mr. Hunter, that the previous orders of the day be
postponed for the purpose of proceeding to the consideration of the
bill (H. R. 6) making appropriations for the consular and diplomatic
expenses of government for the year ending the 30th of June, 1859,

It was determined in the negative, { Yeas..... 23
Nays 27

On motion by Mr. Gwin,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Clay, Collamer, Dixon, Evans,
Fessenden, Fitzpatrick, Green, Hale, Hamlin, Hammond, Houston,
Hunter, Johnson, of Arkansas, Kennedy, King, Sebastian, Slidell,
Toombs, Wade, Yulee.

Those who voted in the negative are,

Messrs. Bell, Bigler Bright, Broderick, Brown, Cameron, Clark,
Crittenden, Doolittle, Douglas, Fitch, Foot, Foster, Gwin, Harlan,
Iverson, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Seward,
Simmons, Stuart, Trumbull, Wilson, Wright.

The Senate resumed the consideration of the bill (S. 65) to author-
ize the President of the United States to contract for the transporta-
tion of the mails, troops, seamen, munitions of war, army and navy

supplies, and all other government service, by railroad, from the Missouri river to San Francisco, in the State of California; and,

An amendment being proposed by Mr. Foster,

On motion by Mr. Iverson,

Ordered, That the further consideration of the bill be postponed until to-morrow at one o'clock.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, APRIL 15, 1858.

The President *pro tempore* laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, information in relation to the sale of the military reservation at Fort Crawford; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia, and be printed.

Mr. Brown presented the petition of Stephen Krebs, Mary McGehey, and Lucy Lowery, children of Stephen Krebs, a citizen of the Choctaw nation of Indians, praying to be allowed other land in lieu of that to which they were entitled under the treaty with the Choctaw Indians of September 15, 1830; which was referred to the Committee on Indian Affairs.

Mr. Green presented a petition of citizens of Scotland county, Missouri, praying the establishment of a mail route from Memphis, in that county, to Savannah, in Davis county, Iowa; which was referred to the Committee on Post Offices and Post Roads.

Mr. Wilson presented resolutions of the legislature of Massachusetts, in favor of a scientific survey of the harbor of Boston; which were referred to the Committee on Commerce.

Mr. Wilson presented resolutions of the legislature of Massachusetts, opposed to the admission of Kansas, as a State, into the Union, under the Lecompton constitution;

Ordered, That they lie on the table and be printed.

Mr. Wilson presented resolutions of the legislature of Massachusetts, relative to the decision of the Supreme Court of the United States in the case of Scott against Sandford;

Ordered, That they lie on the table and be printed.

Mr. Gwin presented the petition of J. W. Sullivan, praying remuneration for losses sustained by the repeated failure of the mail between New Orleans and San Francisco; which was referred to the Committee on Post Offices and Post Roads.

Mr. Broderick presented the petition of J. B. Miller, praying to be allowed a pension on account of an injury received while a teamster in the army; which was referred to the Committee on Pensions.

Mr. Houston presented the petition of Jane J. Wingerd, praying to be paid for the services of her late husband, Jacob B. Wingerd, as a

temporary clerk in the office of the First Comptroller; which was referred to the Committee on Claims.

On motion by Mr. Broderick,

Ordered, That the petition of Henry L. Goodwin, on the files of the Senate, be referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Hamlin,

Ordered, That the petition of the representatives of Noah Miller, on the files of the Senate, be referred to the Committee on Commerce.

Mr. Fessenden submitted a resolution; which was considered, by unanimous consent, and, having been amended, it was agreed to, as follows:

Resolved, That the Secretary of War be directed to communicate to the Senate a copy of a contract made with Russell, Majors & Waddell, for furnishing beef cattle, (oxen for the trains,) entered into in March, 1858; also, to state what contracts, if any, have been made by the Department of War, or under its authority, during the present session of Congress, in connexion with the Utah expedition, without public notice; and, also, what orders or instructions have been given to the Quartermaster General, or through him, for the purchase of horses, cattle, grain, or other supplies, up to this date, specifying particularly the terms of such orders or instructions.

Mr. Chandler asked and, by unanimous consent, obtained leave to bring in a bill (S. 263) granting the right of way over and depot grounds on the military reserve at Fort Gratiot, in the State of Michigan, for railroad purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Stuart, from the Committee on public lands, to whom was referred the bill (H. R. 213) for the relief of Francis Wlodecki, reported it without amendment.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Alexander Copeland, submitted a report, (No. 189,) accompanied by a bill (S. 264) confirming to Alexander Copeland title to four hundred and eighty acres of land in Sonoma county, California.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Benjamin,

Ordered, That the Committee on Commerce be discharged from the further consideration of the resolution of the Chamber of Commerce of New Orleans, and the petition of merchants of New Orleans, relative to the building of a steam cutter, to be stationed at the mouth of the Mississippi river and in the Gulf of Mexico.

Mr. Foot submitted the following resolution which was read:

Resolved by the Senate and House of Representatives, That when the two Houses of Congress adjourn on the first Monday of June next, it shall be to meet again on the first Monday in November following.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 210) for the relief of the legal representatives or assignees of James Lawrence, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the bill be read a third time.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The bill (H. R. 6) making appropriations for the consular and diplomatic expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-nine, was read the third time as amended.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 152) to incorporate the Washington National Monument Society, and having been amended, it was reported to the Senate and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 224) for the relief of Edward Ingersoll was read the second time and considered as in Committee of the Whole.

On motion by Mr. Wilson,

Ordered, That the bill be recommitted to the Committee on Military Affairs and the Militia.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 204) to provide for issuing patents in certain cases where grants of the public lands have been made by Congress; and having been amended, the bill was reported to the Senate, and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be: "An act to provide for issuing patents in certain cases where grants of the public lands have been or may be made to States by Congress."

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

On motion by Mr. Benjamin,

Ordered, That an additional member be appointed on the Committee on Private Land Claims, and that the appointment be made by the President pro tempore; and

Mr. Polk was appointed.

On motion by Mr. Crittenden, that the Senate reconsider the vote postponing the further consideration of the bill (S. 211) to facilitate communication with the army in Utah until the first Monday in December next; and

On motion by Mr. Crittenden,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Wilson, from the Committee on Military Affairs and the Militia, who were instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 265) to prevent desertions and to facilitate enlistments of soldiers in the army of the United States; which was read the first and second times, by unanimous consent.

The bill (S. 247) to amend an act entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries and for registering the same," passed February 18, 1793, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time, by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representative therein.

The Senate resumed the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California.

After debate,

On motion by Mr. Johnson, of Arkansas,

Ordered, That the further consideration of the bill be postponed until to-morrow.

On motion by Mr. Johnson, of Arkansas, that when the Senate adjourn it be to Monday next,

It was determined in the negative, { Yeas..... 13
Nays 35

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bright, Clay, Crittenden, Evans, Fitzpatrick, Hammond, Johnson, of Arkansas, Mallory, Mason, Sebastian, Slidell, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bigler, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hale, Hamlin, Harlan, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Polk, Pugh, Seward, Simmons, Stuart, Thomson, of New Jersey, Wade, Wright.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agree to the conference asked by the Senate on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 161) for the admission of the State of Kansas into the Union, and have appointed Mr. English, of

Indiana, Mr. Stephens, of Georgia, and Mr. Howard, of Michigan, managers at the same on their part.

The following bills were read the second time, and considered as in Committee of the Whole :

S. 159. A bill for the relief of Commander Thomas J. Page, United States navy ;

S. 160. A bill for the relief of Thomas J. Page ;

S. 101. A bill for the relief of Agatha O'Brien, widow of Brevet Major J. P. J. O'Brien, late of the United States army ;

S. 102. A bill for the relief of Thomas Phenix, jr. ;

S. 118. A bill for the relief of John Scott, Hill W. House, and Samuel O. House ;

And, no amendment being made, they were severally reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were severally read a third time.

Resolved, That the said bills pass, and that their respective titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 78) to authorize the Secretary of the Interior to issue land warrants to Joseph Chase, James Young, and Alexander Keef ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Clay, from the Committee on Commerce, to whom was referred a bill (S. 127) to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill (S. 129) to provide for the final settlement of the land claim of the heirs of Jehu Underwood, in Florida, was read the second time and considered as in Committee of the Whole ; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Clay,
The Senate adjourned.

FRIDAY, APRIL 16, 1858.

The President pro tempore laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, a copy of the proceedings of a board of officers appointed to examine and test the improvement of the firearms invented and patented by Captain J. N. Ward, of the army; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The President pro tempore laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, information in relation to the publication of the results of the naval exploring and surveying expedition to the North Pacific ocean and China seas, and also of the results of the expedition to the La Plata river; which was read.

On motion by Mr. Stuart,

Ordered, That it be referred to the Committee on Printing.

Mr. Harlan presented a memorial and resolution of the legislature of Iowa, in relation to the grant of land for the improvement of the Des Moines river; which were referred to the Committee on Public Lands and ordered to be printed.

Mr. Harlan presented a memorial of the legislature of Iowa, in favor of a repeal of the duty on sugar; which was referred to the Committee on Finance and ordered to be printed.

Mr. Harlan presented a resolution of the legislature of Iowa, in favor of certain additional mail facilities; which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. Harlan presented a resolution of the legislature of Iowa, in relation to the pension of Catherine Dickerson; which was referred to the Committee on Pensions and ordered to be printed.

Mr. Harlan presented a memorial and resolution of the legislature of Iowa, in relation to the five per cent. school fund; which were referred to the Committee on Public Lands and ordered to be printed.

Mr. Harlan presented a resolution of the legislature of Iowa, in favor of an appropriation of money for a double track railroad around the lower rapids of the Mississippi, on the Iowa or west side of the river; which was referred to the Committee on Commerce and ordered to be printed.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the following bills of the Senate :

S. 51. An act to authorize a register to be issued to the steamer "Fearless ;"

S. 167. An act for the relief of the owners of the barque Attica, of Portland, Maine ; and

It has passed a bill (H. R. 482) regulating the compensation of the officers and marines of the revenue cutters ; in which it requests the concurrence of the Senate.

Mr. Jones reported from the Committee that they had examined and found duly enrolled the bill (H. R. 210) for the relief of the legal representatives or assignees of James Lawrence.

On motion by Mr. Jones,

Ordered, That the petition of William Roddy, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Iverson presented the petition of Verlinna S. Hutchinson, widow of C. C. Hutchinson, a private in Captain Nelson's company of Georgia mounted volunteers in the Mexican war, praying a pension ; which was referred to the Committee on Pensions.

Mr. Crittenden presented the memorial of George Stealey, praying compensation for services and expenses while on a mission to the Indian tribes in the northern part of California, under authority of the Indian commissioners, in 1850 and 1851 ; which was referred to the Committee on Indian Affairs.

Mr. Jones presented a memorial of the legislature of Iowa, in favor of a grant of lands to that State for the erection of buildings for an agricultural college ; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Wilson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of re-organizing the criminal court for the District of Columbia, and of establishing a municipal or city court in the city of Washington.

Mr. Wilson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of the Interior be directed to communicate to the Senate the number of acres of vacant lands in the even-numbered sections which remain to the United States in township eighty-nine, range forty-seven, in the State of Iowa, and also the reasons why the vacant even-numbered sections in said township are not included in the proclamation for public sales to commence at Sioux City, Iowa, on the first day of July, 1858.

Mr. Hale submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Select Committee on the Military Asylum be authorized to employ a clerk for the remainder of the session, if necessary.

Mr. Hunter, from the Committee on Finance, to whom was referred

the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858, reported it with amendments.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of George W. Flood, submitted a report, accompanied by a bill (S. 266) for the relief of George W. Flood.

The bill was read and passed to a second reading.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of G. A. Breast, submitted a report, (No. 190,) accompanied by a bill (S. 267) for the relief of G. Alonzo Breast.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 174) to amend an act entitled "An act to regulate the carriage of passengers in steamships or other vessels," approved March 3, 1855, reported it with amendments.

Mr. Clark, from the Committee on Claims, to whom was referred the memorial of Aaron Haight Palmer, submitted a report, (No. 191,) accompanied by a bill (S. 268) for the relief of Aaron H. Palmer.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Broderick asked and, by unanimous consent, obtained leave to bring in a bill (S. 269) for the better security of land owners in the city and county of San Francisco, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Hunter presented a memorial of the president and directors of the Dismal Swamp Canal Company, praying the aid of government in the construction of the new cut from the south end of the canal to the Pasquotank river; which was referred to the Committee on Commerce.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

S. 80. Bill for the relief of the heirs and legal representatives of Olivier Landry, of the State of Louisiana;

S. 197. Bill providing for the arrest and return of fugitives from justice to the District of Columbia, and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read the third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 212. An act for the relief of N. C. Weems, of Louisiana;

H. R. 208. An act for the relief of the heirs of Alexander Stevenson;

H. R. 213. An act for the relief of Francis Wlodecki; and no amendment being made, they were reported to the Senate.

Ordered, That the said bills be read a third time.

The said bills were read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The bill (S. 188) for the relief of Edward N. Kent, was read the second time and considered as in Committee of the Whole, and, having been amended, it was reported to the Senate and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill from the Court of Claims (S. 184) for the relief of John Robb, was read the second time and considered as in Committee of the Whole, and having been amended, it was reported to the Senate and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill from the Court of Claims (S. 183) for the relief of Charner T. Scaife, administrator of Gilbert Stalker, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 41) for the relief of Manuel Leisa, Joachim Leisa, and others, and to provide for the location of certain private land claims; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time,

The said bill was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be: An act to provide for the location of certain confirmed private claims in the State of Missouri, and for other purposes.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The bill (S. 203) for the relief of the legal representatives of Charles Porterfield, deceased, was read the second time, and considered as in Committee of the Whole; and, having been amended,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 262) for the relief of the heirs or legal representatives of Richard D. Rowland, deceased, was read the second time and con-

sidered as in Committee of the Whole; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be: An act for the relief of the heirs or legal representatives of Richard D. Rowland, deceased, and others.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The following bills were read the second time, and considered as in Committee of the Whole:

S. 131. Bill for the relief of Samuel V. Niles;

S. 132. Bill for the relief of Edward D. Reynolds;

S. 134. Bill for the relief of the legal representatives of J. E. Martin;

S. 140. Bill for the relief of George W. Lippitt;

S. 142. Bill for the relief of Hannah Stroop, widow of John Stroop, deceased;

S. 163. Bill for the relief of Mrs. Eliza A. Merchant, widow of the late First Lieutenant and Brevet Captain Charles G. Merchant, of the United States army;

S. 164. Bill to provide for the settlement of the accounts of the late Captain John W. McCrabb;

S. 166. Bill for the relief of Eleazer Williams;

S. 171. Bill for the relief of Otway H. Berryman;

S. 177. Bill to confirm to William Marvin title to lands in East Florida;

S. 190. Bill for the confirmation of a certain land claim in favor of Pierre Grignon or his legal representatives;

S. 193. Bill authorizing the issuing of certain bounty land warrants to the legal representatives of deceased persons entitled thereto;

S. 195. Bill for the relief of Ashton S. H. White;

S. 199. Bill for the relief of Livingston Kinkead and company;

S. 226. Bill for the relief of Mrs. Harriet O. Read, executrix of the late Brevet Colonel A. C. W. Fanning, of the United States army;

S. 221. Bill for the relief of Richard W. Meade;

S. 240. Bill for the relief of Noah Smith, late a private in the army of the United States;

S. 242. Bill for the relief of the heirs of John Brest, a soldier in the war of 1812;

S. 249. Bill to release to the Milwaukie and Mississippi Railroad Company the interest of the United States to a certain parcel of land;

S. 253. Bill for the relief of F. M. Gunnell, passed assistant surgeon in the navy;

S. 256. Bill further explanatory of the act approved August 18, 1856, entitled "An act for the relief of Adam D. Steuart and of Alexander Randall, executor of Daniel Randall;"

S. 261. Bill for the relief of Michael Nash, of the District of Columbia;

S. 264. Bill confirming to Alexander Copeland title to four hun-

dred and eighty acres of land in Sonoma county, California; and, no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read the third time.

The said bills were read the third time.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bills.

Mr. Slidell, from the Committee on Foreign Relations, to whom was referred the memorial of T. Hart Hyatt, submitted a report, (No. 192,) accompanied by a bill (S. 270) for the relief of T. Hart Hyatt.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The bill (S. 270) was read the second time, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read the third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

Mr. Doolittle, from the Committee on Indian Affairs, to whom was recommitted the bill (S. 181) for the relief of Anson Dart, reported it with amendments.

On motion by Mr. Brown, to reconsider the vote on passing the bill (S. 193) to authorize the issuing of certain bounty land warrants to the legal representatives of deceased persons entitled thereto,

It was determined in the affirmative.

The vote on ordering the said bill to be engrossed and read a third time was also reconsidered.

The Senate resumed the consideration of the said bill; and, having been amended, on the motion of Mr. Brown,

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Houston, that the Senate reconsider the vote on passing the bill (S. 159) for the relief of Commander Thomas J. Page,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Hale, that when the Senate adjourn it be to Monday next,

It was determined in the negative, { Yeas..... 19
Nays..... 25

On motion,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bell, Broderick, Chandler, Clay, Crittenden, Dur-

kee, Evans, Green, Hale, Hammond, Harlan, Houston, Kennedy, King, Sebastian, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Brown, Clark, Doolittle, Fessenden, Fitch, Fitzpatrick, Foot, Hunter, Iverson, Johnson, of Tennessee, Jones, Mason, Polk, Pugh, Simmons, Slidell, Thomson, of New Jersey, Toombs, Wilson, Wright.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President : The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of its President.

The President *pro tempore* signed the enrolled bill (H. R. 210) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends.

On motion by Mr. Mason,
The Senate adjourned.

SATURDAY, APRIL 17, 1858.

The bill (H. R. 482) regulating the compensation of the officers and marines of the revenue cutters was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Seward presented the petition of Thomas G. Clinton, praying an amendment of the patent laws ; which was referred to the Committee on Patents and the Patent Office.

Mr. Green presented additional papers relating to the claims of J. C. Irwin and Company, and of J. and R. H. Porter ; which were referred to the Committee on Military Affairs and the Militia.

Mr. Trumbull presented a paper relative to the claim of Benjamin Page and Henry E. Page, heirs of Benjamin Page, deceased, to indemnity for French spoliations prior to 1800.

Ordered, That it lie on the table.

Mr. Chandler presented a memorial of citizens of Detroit, Michigan, praying the adoption of the northern route in the construction of the Pacific railroad.

Ordered, That it lie on the table.

Mr. King presented a petition of citizens of New York, praying that pensions may be granted to those who served in the war of 1812, and to the widows of those deceased ; which was referred to the Committee on Pensions.

Mr. King presented the memorial of James M. Rich and others, heirs of Robert and John Montgomery, praying indemnity for French spoliations prior to 1800.

Ordered, That it lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Foot the 15th instant, to fix a day for the next meeting of Congress; and,

On motion by Mr. Foot,

Ordered, That the resolution lie on the table.

Mr. Foot asked and, by unanimous consent, obtained leave to bring in a bill (S. 271) fixing the time for the next meeting of Congress; which was read the first and second times, by unanimous consent.

Mr. Bigler, from the Committee on Commerce, to whom was referred the petition of Charles Knap, reported a bill (S. 272) for the relief of Charles Knap; which was read and passed to the second reading.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858; and,

On motion by Mr. Hunter,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Monday next, at half-past twelve o'clock.

The Senate resumed the consideration of the motion submitted yesterday by Mr. Houston, to reconsider the vote on passing the bill (S. 159) for the relief of Commander Thomas J. Page, United States navy; and

On the question, Will the Senate reconsider the vote on passing the said bill?

It was determined in the negative.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly meeting of the Society of Friends; and,

On motion by Mr. Gwin,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Brown reported from the committee that they had examined and found duly enrolled the following bills:

S. 51. An act to authorize a register to be issued to the steamer "Fearless;"

S. 167. An act for the relief of the owners of the barque Attica, of Portland, Maine.

A message from the House of Representatives by Mr. Carter, Chief Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 202) for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army; and

It has passed the following bills, in which it requests the concurrence of the Senate:

H. R. C. C. 80. An act for the relief of Captain James Mac McIntosh, of the United States navy;

H. R. 203. An act for the relief of George W. Biscoe;

H. R. 488. An act for the relief of Cassius M. Clay;

H. R. 489. An act for the relief of congressional township number

twenty-seven (27) north, of range number six (6) east, in Wabash county, in the State of Indiana.

The Speaker of the House of Representatives having signed two enrolled bills (S. 51 and S. 167,) I am directed to bring them to the Senate for the signature of its President.

The President *pro tempore* signed the two enrolled bills (S. 51 and S. 167) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The bills received from the House of Representatives for concurrence were read the first and second times, by unanimous consent.

Ordered, That the bills numbered 80, 203, and 488 be referred to the Committee on Claims, and that the bill numbered 489 be referred to the Committee on Public Lands.

The Senate resumed the consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California; and,

After debate,

On motion by Mr. Seward, that the Senate adjourn,

It was determined in the negative, { Yeas..... 19
Nays 29

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Biggs, Chandler, Clark, Clay, Dixon, Evans, Fitzpatrick, Foot, Hamlin, Harlan, Johnson, of Arkansas, Kennedy, King, Seward, Simmons, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Broderick, Brown, Collamer, Doolittle, Douglas, Fessenden, Fitch, Green, Gwin, Hale, Henderson, Houston, Hunter, Iverson, Johnson, of Tennessee, Mason, Pearce, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Wilson, Wright.

On motion by Mr. Benjamin, that the further consideration of the bill be postponed to the first Monday in December next,

It was determined in the affirmative, { Yeas..... 25
Nays 22

On motion by Mr. Gwin,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Biggs, Brown, Clark, Clay, Collamer, Dixon, Evans, Fessenden, Fitzpatrick, Hale, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Pearce, Sebastian, Slidell, Thomson, of New Jersey, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bell, Bigler, Bright, Broderick, Chandler, Doolittle, Douglas, Fitch, Foot, Green, Gwin, Henderson, Kennedy, King, Polk, Pugh, Seward, Simmons, Stuart, Trumbull, Wright.

So the motion by Mr. Benjamin, that the further consideration of

the bill be postponed to the first Monday in December next, was agreed to.

On motion by Mr. Johnson, of Arkansas,
The Senate adjourned.

MONDAY, APRIL 19, 1858.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills :

S. 51. An act to authorize a register to be issued to the steamer "Fearless."

S. 167. An act for the relief of the owners of the barque Attica, of Portland, Maine ;

H. R. 210. An act for the relief of the legal representatives or assignees of James Lawrence.

The president pro tempore laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, information in relation to the contract with Russell, Majors and Waddell, for beef cattle, in March, 1858, and contracts made without public notice for the purchase of horses, cattle, grain, or other supplies, up to this date, in connexion with the Utah expedition; which was read.

Ordered, That it be printed.

Mr. Hamlin presented the memorial of Thomas Crown, praying to be allowed damages occasioned by the abrogation of a contract made by him with Captain Blaney, for furnishing bricks for the fortifications at Oak Island ; which was referred to the Committee on Claims.

Mr. Hamlin presented the memorial of George M. Weston, commissioner of the State of Maine, submitting an account of said State against the United States, under the fourth and fifth articles of the treaty of Washington, and praying an appropriation for the payment of the same ; which was referred to the Committee on Foreign Relations.

Mr. Stuart presented the memorial of Daniel B. Hibberd, praying payment for his services in carrying the mail, under a special contract with the deputy postmaster at St. John's, Michigan ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Slidell presented a memorial of merchants of New-Orleans, praying that the Collins line of steamers may be sustained ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Slidell presented a report of a committee of the Chamber of Commerce, of New Orleans, in favor of the establishment of a line of mail steamers between New Orleans and Bordeaux, as proposed by W. C. Barney and others ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Bigler presented two memorials of citizens of Philadelphia, praying that an appropriation may be made for carrying the mails

between Philadelphia and Southampton in the Collins line of steamers; which were referred to the Committee on Post Offices and Post Roads.

Mr. Wilson presented a memorial of the agent of the State of Massachusetts, praying that an appropriation may be made for paying the claims of that State against the United States, arising under the treaty of Washington; which was referred to the Committee on Foreign Relations.

Mr. Brown presented the memorial of Jonas P. Levy, relative to his claims against Mexico, and praying the interposition of Congress for their settlement; which was referred to the Committee on Foreign Relations.

Mr. Fessenden presented a petition of citizens of Maine, praying the enactment of a general relief law; which was referred to the Committee on the Judiciary.

Mr. Wright presented a memorial of citizens of Newark, New Jersey, praying that a system of instruction may be introduced on board our ships-of-war, as a means of improving the personnel of the navy; which was referred to the Committee on Naval Affairs.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to communicate to the Senate, copies of any correspondence or other papers containing information of the condition of the United States ship *Susquehannah* on her late arrival at the island of Jamaica, and of the reception and assistance extended to her officers and crew, disabled by sickness, by the naval and civil authorities of Great Britain at that island.

Mr. Trumbull submitted the following motion; which was considered, by unanimous consent, and agreed to:

Ordered, That the Secretary of the Senate furnish, on application by any individual desiring to possess the same, an authenticated copy of the resolution agreed to on the 16th of February, 1858, authorizing testimony to be taken in reference to the election of the honorable Jesse D. Bright and honorable Graham N. Fitch as senators from the State of Indiana.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred a report of the Court of Claims in the case of the claimants of the brig *General Armstrong*, submitted a report, (No. 194,) accompanied by a bill (S. 273) for the relief of the owners, officers, and crew of the brig *General Armstrong*.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Patents and the Patent Office, to whom was referred the petition of Randall Pegg, submitted a report, (No. 195,) accompanied by a bill (S. 274) for the relief of Randall Pegg.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Patents and the Patent Office, to whom was referred the petition of Jeremiah Pendergast, submitted

a report, (No. 196,) accompanied by a bill (S. 275) for the relief of Jeremiah Pendergast.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 208. An act for the relief of the heirs of Alexander Stevenson;

H. R. 212. An act for the relief of N. C. Weems, of Louisiana;

H. R. 213. An act for the relief of Francis Wlodecki.

Mr. Brown reported from the committee that they had examined and found duly enrolled the bill (S. 202) for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army.

A message from the House of Representatives by Mr. Barclay:

Mr. President: The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of its President.

The President *pro tempore* signed the four enrolled bills this day reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States this day approved and signed the following acts:

S. 51. An act to authorize a register to be issued to the steamer "Fearless;"

S. 167. An act for the relief of the owners of the barque Attica, of Portland, Maine.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed as in Committee of the Whole, the consideration of the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, eighteen hundred and fifty-eight.

On the question to agree to the following reported amendment, viz: strike out the third section, as follows:

"SEC. 3. *And be it further enacted*, That the accounting officers of the treasury be authorized and directed to allow credit to the Clerk of the House of Representatives for such payments out of its contingent fund as have been, or may be, made under allowances authorized by the House of Representatives during the last Congress: *Provided*, That said allowances shall have been duly approved by the Committee on Accounts: *And be it further provided*, That the said allowances be paid out of any moneys in the treasury not otherwise appropriated."

On motion by Mr. Biggs, to amend the said third section by adding thereto the following:

And provided further, That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra

pay or extra allowances to any clerk, messenger, or attendant of the said two Houses, or either of them.

It was determined in the affirmative.

On the question to strike out the third section as amended,

It was determined in the negative, { Yeas..... 17
Nays 30

On motion by Mr. Benjamin,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Benjamin, Brown, Clay, Douglas, Fitzpatrick, Hamlin, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Mason, Pearce, Slidell, Toombs, Wade, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell, Biggs, Bigler, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Foot, Gwin, Hale, Hammond, Harlan, Kennedy, King, Polk, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wilson.

An amendment being proposed by Mr. Hale,

On motion by Mr. Iverson,

Ordered, That the further consideration of the bill be postponed until to-morrow.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 276) for the relief of Mrs. Ambroise Brou, of the parish of St. Charles, State of Louisiana; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, APRIL 20, 1858.

The President *pro tempore* laid before the Senate a letter of the delegate of the Territory of Utah in Congress, accompanied by a memorial of delegates of the convention which assembled at Great Salt Lake City and adopted a constitution with a view to the admission of Utah into the Union as a State, together with a copy of that constitution; which was read.

Ordered, That it lie on the table and be printed.

Mr. King presented the petition of S. Gilbert and others, praying that a grant of land may be made to aid in the construction of a ship canal around the Falls of Niagara; which was referred to the Committee on Public Lands.

Mr. Benjamin presented a memorial of members of the grand jury of Washington county, in the District of Columbia, and a memorial of members of the bar of the District of Columbia, praying that no change be made in the existing laws that will tend to discredit the

present judge of the criminal court of the District or deprive the community of his valuable services; which was referred to the Committee on the Judiciary.

Mr. Bigler presented a petition of citizens of Philadelphia, praying that an appropriation may be made for carrying the mails between Philadelphia and Southampton, in England, in the Collins line of steamers; which was referred to the Committee on Post Offices and Post Roads.

Mr. Kennedy submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill to regulate and restrain the emigration or importation into the United States of foreign paupers and criminals.

Mr. Chandler submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post route from Ontonagon to Copper Harbor, in the State of Michigan.

Mr. Jones submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing the within and following post routes in the State of Iowa:

From Ashton, Iowa, to Decatur in Nebraska Territory; from Bellefontaine, by Attica and Gosport, to Chariton; from Bloomfield, Iowa, to Lancaster, Missouri; from Bradford to Rockford; from Cedar Falls, by Willoughby, Butler Centre, Bear Grove, Maysville, Hampton, Saratoga, Belmond, and Irvington, to Algona; from Decorrah, by Bluffton, Plymouth Rock, Twine Springs, Arnoldsville, Lime Springs, Forest city, and Leroy, to Austin, in Minnesota Territory; from Dyersville, by Rockville, and Hopkinton, to Anamosa; from Independence, via Chatham, Fairbank, and Peck's Settlement, to Fredericksburg; from Johnsonport, by Rossville, Cleveland, Lybrand, Postville, and Clearmont, to West Union; from Lansing to Twin Spring, (in Winnesheick county;) from McGregor, by Windsor, Elkador, Volga city, and Taylorsville, to Independence; from Magnolia, by Preparation, Belvidere, and Smithland, to Sioux city; from Monticello, by New Buffalo and McQueen's Mill, to Paris; from Mount Vernon, by New Lindon and Paddington, to Clark's Ford; from Rockford to Rock Grove city; from Rockford, via west side of Shell Rock river, by Nora Springs, to Shell Rock Falls; from Webster, by Peck's, Cooper's, and Indianapolis, to Hopewell; from West Union, by Wapsi, Buck Run, and Martinsburg, to Waverly; from Belmond, via Liberty and Dacotah city, to Packard's Settlement, (on the Little Sioux;) from Cascade, via centre of Jones county, Isabell, Overacker's Ferry, Walnut, Gower's Ferry, to Iowa city; from Cascade, by Suplis Ford, to Wyoming; from Centreville, via Moravia, to Albia; from Clear Lake city, by Elk Grove and Forest city, to Blue Earth city, Minnesota Territory; from Corydon, via Warsaw, Medicineville, and Terre Haute, Missouri, to Scottsville; from Corydon Iowa, to

St. John, Missouri; from Crescent city, Iowa, to Florence, Nebraska Territory; from Delhi to Nottingham, on Dubuque and Pacific railroad; from Dennison, by Belvidere and Ashton, to Dexter, in Nebraska Territory; from Des Moines, by Mitchell's, Green Castle, Edenville, and Starry Grove, to Marietta; from Fort Dodge to Sioux Falls in Minnesota Territory; from Fort Dodge, up west fork of Des Moines river, to Spirit Lake; from Greenfield, by Holliday's and Pierson's Mill, to Adell; from Harden, Iowa, by Waukon, New Galena, Dorchester, Portland Prairie, Minnesota Territory, and Caledonia, to Brownsville; from Iowa Falls, by Alden, Otisville, Fryburg, Belmond, Burr Oak Grove, and Forest city, to Blue Earth city, Minnesota Territory; from Iowa Falls, by Belmond, to Clear Lake city; from Leon, by Stanley's Store and Spring Valley, to Nine Eagles; from Lewis, by Wheeler's Grove, Farm creek, and Silver creek, to Glenwood; from Magnolia, by Preparation, Belvidere, and Smithland, to Correctionville; from Marietta, by Nevada, Boonsboro', and New Jefferson, to Carrollton; from Mitchell, by Plymouth, to Mason city; from Mount Vernon, by Linden and Paddington, to Wapsa; from New Jefferson, by Lake city and Raccoon Fork, to Sac city; from Onawa, by Smithland and Cherokee, to Spirit Lake; from Osage by Shell Rock Falls, to Mason city; from Ossian, by Calmar, Buchanan, New Oregon, Vernon Spring, Morgan, and Granger, to Foreston; from Ottumwa, by Chillicothe and Cuba, to Albia; from Sac city, by Lane's Grove, Spirit Lake, and Springfield, Minnesota Territory, to Mankato; from Sioux city, by Westfield and Nicolet, to Sioux Falls; from Tipton, by Madison, and centre of Jones county, to Cascade; from Walnut Fork, by Madison and the centre of Jones county, to Cascade; from Webster city, by Dacotah city, Paoli, and Irish Colony, to Spirit Lake; from Webster city, by Cropper's Grove, to Mankato, Minnesota Territory; from West Liberty, by Pike, to Port Allen; and from Wilton Junction, by Tipton, to Loudon Station, on the Chicago, Iowa, and Nebraska railroad.

Mr. Jones presented sundry petitions and papers in relation to the establishment of the mail routes mentioned in the preceding resolution; which were referred to the Committee on Post Offices and Post Roads.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 40) to settle doubts in relation to the title of certain common field lots in the State of Missouri, heretofore granted to the inhabitants of the city of St. Louis for the support of schools, reported it without amendment, and that it ought not to pass.

Mr. Benjamin also submitted an adverse report (No. 197) on the said bill; which was ordered to be printed.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (S. 2) to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California; and the reported amendment having been agreed to, the resolution was reported to the Senate and the amendment was concurred in.

Ordered, That the resolution be engrossed and read a third time.

The said resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed the consideration of the resolution submitted by Mr. Houston the 16th of February, in relation to the establishment of a protectorate, on the part of the United States, over the States of Mexico, Nicaragua, Costa Rica, Gautemala, Honduras, and San Salvador; and

An amendment being proposed by Mr. Houston;

After debate,

On motion by Mr. Seward,

Ordered, That the resolution lie on the table and that the proposed amendment be printed.

On motion by Mr. Clark, that the Senate reconsider the vote of the 17th of April postponing the further consideration of the bill (S. 65) to authorize the President of the United States to contract for the transportation of the mails, troops, seamen, munitions of war, army and navy supplies, and all other government service, by railroad from the Missouri river to San Francisco, in the State of California, to the first Monday in December next.

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858.

On motion by Mr. Hale, to amend the bill by inserting, as an additional section, the following:

SEC. 4. *And be it further enacted, That no contract shall hereafter be made by any officer or agent of the government, except under a law authorizing the same, or under an appropriation adequate to its fulfilment, except in time of war with a foreign nation; and the sixth section of the act entitled "An act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," approved May one, eighteen hundred and twenty, be, and the same is hereby, repealed;*

It was determined in the negative, { Yeas..... 21
Nays 30

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Foot, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mason, Pearce, Polk, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright, Yulee.

A further amendment being proposed by Mr. Fessenden,
A debate ensued; and
After the consideration of executive business,
The Senate adjourned.

WEDNESDAY, APRIL 21, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

I transmit a report from the Secretary of State, with accompanying papers, in answer to the resolution of the Senate of the 5th instant.

JAMES BUCHANAN.

WASHINGTON, April 20, 1858.

The message was read.

Ordered, That it lie on the table and be printed.

Mr. Cameron presented two petitions of citizens of Philadelphia, praying that an appropriation may be made for carrying the mails between that city and Southampton, in England, in the Collins line of steamers; which were referred to the Committee on Post Offices and Post Roads.

Mr. Kennedy presented the memorial of Ambrose W. Thompson and his associates, praying Congress to establish a line of mail steamships between certain ports of the United States and Liverpool in England; which was referred to the Committee on Post Offices and Post Roads.

Mr. Kennedy presented a memorial of citizens of Cumberland and Alleghany counties, Maryland, praying that Cumberland may be selected as a suitable place for a national foundry; which was referred to the Committee on Military Affairs and the Militia.

Mr. Hamlin presented a petition of citizens of Maine, praying that a law may be passed granting pensions to the officers and soldiers of the army and to the officers and seamen of the navy, during the war of 1812; which was referred to the Committee on Pensions.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be directed to inquire into the expediency of increasing the pension of Abner Merrill, of Maine, in consequence of increased disability.

Mr. Hamlin presented papers in relation to the claim of Abner Merrill for an increase of pension; which were referred to the Committee on Pensions.

Mr. Green presented the petition of Robert F. Gibbs, a soldier in the war of 1812, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Pugh presented papers in support of the claim of Adam Sener, a soldier in the war of 1812, for a pension; which were referred to the Committee on Pensions.

Mr. Wilson presented the petition of the legal representatives of William Bond, and the legal representatives of William Douglass, officers in the revolutionary army, praying to be allowed interest on the half pay paid under the act of June 30, 1834; which was referred to the Committee on Revolutionary Claims.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution relating to restrictions on the immigration or importation of foreign paupers and criminals into the United States, and that it be referred to the Committee on Commerce.

Mr. Foster presented a memorial of citizens of New London, Connecticut, remonstrating against the repeal of the law establishing the light-house board; which was referred to the Committee on Commerce.

Mr. Durkee presented a resolution of the legislature of Wisconsin, in relation to the admission of Kansas into the Union as a State; which was read.

Ordered, That it lie on the table and be printed.

On motion by Mr. Crittenden,

Ordered, That the petition of R. L. Beall, and other officers of the army, on the files of the Senate, be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Benjamin,

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the papers relating to the claim of the heirs of Thomas Maddin, and that leave be granted to withdraw the same.

Mr. Gwin presented the memorial of John H. Merrill, praying payment for services rendered and expenses incurred as sheriff to a court established by the alcalde in San Francisco in 1849, also for expenses incurred in the relief and support of sick and disabled seamen; which was referred to the Committee on Claims.

Mr. Cameron submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Secretary of War be requested to transmit to the Senate a copy of the report of Major William H. Bell, made April 1, 1858, giving the result of the trial, at the Washington arsenal, of Butterfield's priming apparatus in comparison with Maynard's primer.

Mr. Broderick submitted the following resolution for consideration:

Resolved, That the Postmaster General be requested to furnish the Senate with a quarterly statement showing the aggregate amount collected at the Post Office at San Francisco, over and above the lawful postage, for box rents from July 1, 1854, to December 31, 1857; and that he be requested to inform the Senate what law or what regulation of the department authorizes the collection of the same; and, also, whether the postmaster has any legal authority to discriminate against one class of citizens and in favor of another class, by withholding letters—as letters are withheld at the San Francisco post office—from

those who will not submit to the exaction for box rent until at least an hour after letters are delivered to those who do thus submit to the exaction.

Mr. Toombs submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Committee on the Judiciary have leave to print, for the use of the committee, a bill before them for the establishment of uniform laws "on the subject of bankruptcies throughout the United States."

Mr. Green, from the Committee on the Judiciary, to whom was referred the bill (S. 20) to amend the act entitled "An act to provide for holding the courts of the United States in the case of sickness or other disability of the judges of the district courts," approved July 29, 1856, reported it without amendment, and that it ought not to pass.

Mr. Hale, from the Committee on Naval Affairs, to whom was referred the petition of A. G. Allen, submitted a report, (No. 198,) accompanied by a bill (S. 277) for the relief of Albert G. Allen.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Wilson asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 27) authorizing the suspension of sales of public lands in the Territory of Kansas; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 359) for the relief of Duncan Robertson, reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the bill be read a third time.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bayard, from the Committee on the Judiciary, to whom the subject was referred, reported a bill (S. 278) concerning the courts of the United States in the district of Arkansas; which was read and passed to a second reading.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 279) for the final adjustment of private land claims in the States of Florida, Louisiana, Arkansas, and Missouri, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Pugh asked and, by unanimous consent, obtained leave to bring in a bill (S. 280) to repeal the 25th section of the act to establish the judicial courts of the United States, approved September 24, 1789; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Jones reported from the committee that they this day presented to the President of the United States, the following enrolled bills:

S. 202. An act for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army;

H. R. 208. An act for the relief of the heirs of Alexander Stevenson;

H. R. 212. An act for the relief of N. C. Weems, of Louisiana;

H. R. 213. An act for the relief of Francis Wlodecki.

The bill (S. 130) for the relief of Jennett H. McCall was read the second time and considered as in Committee of the Whole; and,

On motion by Mr. Biggs,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the resolution reported by the Committee on Foreign Relations, relative to the difficulties with Paraguay; whereupon

Mr. Mason asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 28) for the adjustment of differences with the republic of Paraguay; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and,

After debate,

The hour of one o'clock having arrived,

On motion by Mr. Mason,

Ordered, That the further consideration thereof be postponed until to-morrow,

The Senate resumed, as in Committee of the Whole, the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, eighteen hundred and fifty-eight.

An amendment having been proposed by Mr. Fessenden to add the following section:

SEC. —. And be it further enacted, That no part of the amount appropriated by this act for the service of any one fiscal year shall be used for or applied to the service of any other year, nor be transferred to or used for any other branch of expenditure than that for which it is specifically appropriated. And no contract for army supplies or service of any description shall be hereafter made during the session of Congress except under a law authorizing the same or under an appropriation adequate to its fulfilment; and no contract for army supplies or service of any description, except for transportation on railroads, shall be made hereafter, at any time, without previous public advertisement for proposals respecting the same.

A division thereof was called for by Mr. Hale; and the question being taken on agreeing to the first clause thereof, as follows:

SEC. —. And be it further enacted, That no part of the amount appropriated by this act for the service of any one fiscal year shall be used for or applied to the service of any other year, nor be transferred to or used for any other branch of expenditure than that for which it is specifically appropriated;

It was determined in the affirmative, { Yeas 24
 { Nays 21

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Collamer,
 Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale,
 Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Seward,
 Simmons, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bright, Clay, Evans,
 Fitch, Fitzpatrick, Gwin, Hammond, Hunter, Johnson, of Arkansas,
 Jones, Mallory, Mason, Sebastian, Slidell, Toombs, Wright, Yulee.

On the question to agree to the following clause :

*And no contract for army supplies or service of any description shall
 be hereafter made during the session of Congress except under a law
 authorizing the same or under an appropriation adequate to its fulfil-
 ment ;*

It was determined in the negative, { Yeas 22
 { Nays 24

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Dixon,
 Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan,
 Houston, Johnson, of Tennessee, King, Seward, Simmons, Trumbull,
 Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bright, Brown, Clay,
 Evans, Fitch, Fitzpatrick, Gwin, Hammond, Henderson, Hunter,
 Jones, Mallory, Mason, Sebastian, Slidell, Stuart, Thomson, of New
 Jersey, Toombs, Wright, Yulee.

On the question to agree to the following clause :

*And no contract for army supplies or service of any description, ex-
 cept for transportation on railroads, shall be made hereafter, at any
 time, without previous public advertisement for proposals respecting the
 same ;*

It was determined in the negative, { Yeas 24
 { Nays 25

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Benjamin, Broderick, Cameron, Chandler, Clark, Collamer,
 Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin,
 Harlan, Houston, Johnson, of Tennessee, King, Seward, Simmons,
 Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Biggs, Bright, Brown, Clay, Evans, Fitch,
 Fitzpatrick, Green, Gwin, Hammond, Henderson, Hunter, Iverson,
 Johnson, of Arkansas, Jones, Mallory, Mason, Sebastian, Slidell,
 Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Fessenden, to amend the bill by striking out all after line 30 to line 116 and inserting the following:

To supply a deficiency of appropriations for the regular supplies of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-seven, two hundred and seventy-nine thousand three hundred and seventy-seven dollars and fifty-seven cents.

To supply a deficiency of appropriations for the incidental expenses of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-seven, one hundred and twenty-nine thousand eight hundred and sixty dollars and twenty cents.

To supply a deficiency of appropriations for the transportation of troops and supplies in the year ending June thirty, eighteen hundred and fifty-seven, seven hundred and fifty-one thousand four hundred and eighty-seven dollars and fifteen cents.

To supply a deficiency of appropriations for barracks and quarters in the year ending June thirty, eighteen hundred and fifty-seven, sixty-seven thousand nine hundred and fifty-four dollars and thirty-nine cents.

To supply a deficiency of appropriations for the regular supplies of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-eight, three hundred thousand dollars.

To supply a deficiency of appropriations for incidental expenses of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-eight, sixty thousand dollars.

To supply a deficiency of appropriations for transportation of troops and supplies in the year ending June thirty, eighteen hundred and fifty-eight, one million of dollars.

To supply a deficiency of appropriations for constructing barracks, and other expenses incident to the same and to quarters for the troops, and to store-houses for the safe keeping of military stores during the year ending June thirty, eighteen hundred and fifty-eight, thirty thousand dollars.

To supply a deficiency of appropriations for the purchase of horses necessary to be purchased in the year ending June thirty, eighteen hundred and fifty-eight, for the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, the companies of light artillery, and such infantry as it may be found necessary to mount at the frontier posts, one hundred thousand dollars.

A motion was made by Mr. Green that the Senate adjourn; and

It was determined in the negative, { Yeas..... 22
Nays..... 24

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Green, Hammond, Harlan, Kennedy, King, Mason, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Brown, Clay, Douglas, Evans, Fitch, Fitzpatrick, Hale, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

The question recurring on agreeing to the amendment proposed by Mr. Fessenden,

It was determined in the negative, { Yeas..... 22
Nays 26

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Harlan, Johnson, of Tennessee, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

The bill having been further amended, was reported to the Senate.

On the question to concur in the following amendment, made as in Committee of the Whole: Strike out the following clause:

“To enable John C. Rives to pay to the reporters of the House for reporting the debates of the present session of Congress the usual additional compensation of eight hundred dollars each, four thousand dollars.”

A motion was made by Mr. Brown to amend the bill by *inserting* in the bill, after line 29:

Also, to enable John C. Rives to pay to the reporters of the Senate for reporting the debates of the third session of the 34th Congress the usual additional compensation of eight hundred dollars each, \$3,200.

Also, to enable John C. Rives to pay to the reporters of the Senate for reporting the debates of the present session of Congress the usual additional compensation of eight hundred dollars each, \$3,200.

A question of order was raised by Mr. Toombs, whether, in that stage of the bill, the proposed insertion by Mr. Brown was in order; and

The president *pro tempore*, Mr. Mason in the chair, decided that the proposed insertion was not in order.

The question recurring on concurring in the amendment striking out the aforesaid clause of the bill,

It was determined in the affirmative, { Yeas 33
Nays 13

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Cameron, Clark, Clay, Doolittle, Douglas, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Hale, Hammond, Harlan, Hunter, Johnson, of Tennessee, King, Mason, Polk, Pugh, Seward, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Dixon, Green, Houston, Johnson, of

Arkansas, Jones, Kennedy, Mallory, Sebastian, Simmons, Stuart, Wilson.

So the amendment was concurred in.

On the question to concur in the following amendment, made as in Committee of the Whole: Insert, at the end of the third section, the following:

And provided, further, That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra pay or extra allowance to any clerk, messenger, or attendant of the said two Houses, or either of them.

A motion was made by Mr. Biggs to amend *the bill*; and,

On motion by Mr. Broderick,

The Senate adjourned.

THURSDAY, APRIL 22, 1858.

The President *pro tempore* laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, information relative to the condition of the United States ship *Susquehanna* on her arrival at the island of Jamaica, and the reception and assistance extended to her officers and crew by the British authorities in that island; which was read.

Ordered, That it be referred to the Committee on Foreign Relations and be printed.

The President *pro tempore* laid before the Senate a report of the Secretary of State, communicating, in obedience to law, a statement of the commercial relations of the United States with foreign nations for the year ending the 30th September, 1857; which was read.

Ordered, That it be referred to the Committee on Commerce.

On motion by Mr. Pugh, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Seward presented the memorial of Ann Gratiot, widow of Brevet Brigadier General Charles Gratiot, late of the United States army, praying to be allowed his pay and emoluments as colonel and chief of engineers of the army, from the date of his dismissal to the time of his death; which was referred to the Committee on Military Affairs and the Militia.

Mr. Seward presented the memorial of the American Telegraph Company, in answer to the memorial of the Magnetic Telegraph Company and the New England Union Telegraph Company, and remonstrating against the prayer of that memorial being granted; which was referred to the Committee on the Judiciary.

On motion by Mr. Seward, that the memorial be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Seward presented the petition of George A. Wheelock, for

himself and the other heirs of Joseph Valliere, deceased, praying the reference of their claim to the Court of Claims, and that the same may not be barred by limitations; which was referred to the Committee on Private Land Claims.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 29) to refer the claim of Joseph Valliere, deceased, to the Court of Claims; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a bill (S. 281) to secure a prompt construction of a line of telegraph from San Francisco to Fort Smith, and from thence to St. Louis and to Memphis; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Pugh,

Ordered, That the petition of J. B. Williams in behalf of the heirs of Joseph Biggs, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Pugh,

Ordered, That the the Committee on Public Lands be discharged from the further consideration of the petition of Hugh Ferguson and James Robb.

Mr. Seward submitted the following resolution for consideration:

Resolved, That the Secretary of the Navy be directed to furnish the Senate with an estimate of the cost of bringing up and preparing for publication the surveys of the late expedition to the North Pacific ocean and Behring's Straits, for the fiscal year ending June 30, 1859.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested, if not incompatible with the public interest, to communicate to the Senate such information as the departments of the government may afford concerning the nature, character, and extent of the State duties exacted from foreign vessels and merchandise navigating the Elbe by the kingdom of Hanover, the grounds of such exactions, and the practicability and expediency of obtaining for American shipping and merchandise an exemption therefrom.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President; The House of Representatives has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 2. An act donating public lands to the several States which may provide colleges for the benefit of agriculture and the mechanic arts;

H. R. 62. An act making appropriations for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and fifty-nine.

On motion by Mr. Mason,

The Senate resumed, as in Committee of the Whole, the considera-

tion of the joint resolution (S. 28) for the adjustment of differences with the republic of Paraguay.

A motion was made by Mr. Collamer, to amend the resolution by striking out the words, "and use such force;" and,

After debate,

The hour fixed for the consideration of the special order having arrived,

The Senate resumed the consideration of the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th June, 1858.

On the question to concur in the following amendment, made as in Committee of the Whole: *Insert, at the end of the third section, the following:*

And provided, further, That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra pay or extra allowance to any clerk, messenger, or attendant of the said two Houses, or either of them; and

The amendment was concurred in.

On motion by Mr. Biggs, to amend the bill by inserting, section 3, line 6, after "Congress:"

Not in contravention of the joint resolution to fix the compensation of the employés in the legislative department of the government, and to prohibit the allowance of the usual extra compensation to such as receive the benefits thereof, approved July 20, 1854;

It was determined in the affirmative, { Yeas 26
Nays 22

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bright, Clay, Dixon, Douglas, Evans, Fitzpatrick, Foster, Green, Hammond, Harlan, Hunter, Johnson, of Tennessee, Jones, King, Mason, Pugh, Sebastian, Slidell, Toombs, Trumbull, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Crittenden, Doolittle, Durkee, Fessenden, Fitch, Foot, Gwin, Houston, Kennedy, Polk, Seward, Simmons, Stuart, Wade, Wilson.

On motion by Mr. Jones, to amend the third section of the bill by inserting, line 8, after "accounts:"

And that there be paid, by the Secretary of the Senate, to the employés of the Senate who did not receive the same at the last session, the amounts, respectively, that were allowed to the employés of the House by the resolution of the House of Representatives of March 2, 1857;

A question of order was raised by Mr. Hunter, whether the proposed amendment was in order under the 30th rule; and

The President *pro tempore* (Mr. Mason in the chair) decided that it was not in order.

On motion by Mr. Doolittle, to amend the bill by striking out the third section, after the word enacted, in the third line, and inserting in lieu thereof:

That the accounting officers of the treasury be authorized and directed to allow credit to the Clerk of the House of Representatives for such payments out of its contingent fund as have been made under allowances authorized by the House of Representatives during the last Congress: Provided, That said allowances shall have been duly approved by the Committee on Accounts: And be it further provided, That the said allowances be paid out of any moneys in the treasury not otherwise appropriated: And provided, further, That it shall never, hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra pay or extra allowance to any clerk, messenger, or attendant of the said two Houses, or either of them;

It was determined in the affirmative, { Yeas 24
Nays 22

On motion by Mr. Biggs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bright, Broderick, Brown, Cameron, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Foster, Gwin, Houston, Kennedy, Polk, Pugh, Seward, Simmons, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Clay, Fitzpatrick, Green, Hale, Harlan, Hunter, Iverson, Johnson, of Tennessee, Jones, King, Mason, Sebastian, Slidell, Toombs, Wilson, Wright, Yulee.

A motion was made by Mr. Jones to amend the third section of the bill, line 8, after the word "accounts," by adding:

And that there be paid out of the contingent fund of the Senate, by the Secretary of the Senate, to the employés of the Senate, and also the employés in the Congressional Library, who did not receive the same at the last session, the amounts, respectively, that were allowed to the employés of the House by the resolution of the House of Representatives of March 2, 1857;

A question was raised by Mr. Hunter, whether the motion was in order under the 30th rule of the Senate.

The President of the Senate (Mr. Mason in the chair) submitted the question for the decision of the Senate; and the Senate decided that the motion was not in order.

On motion by Mr. Foster, to reconsider the vote on agreeing to the following amendment proposed by Mr. Doolittle, viz: Strike out the third section, as amended, and insert:

"SEC. 3. *And be it further enacted, That the accounting officers of the treasury be authorized and directed to allow credit to the Clerk of the House of Representatives for such payments out of its contingent fund as have been made under allowances authorized by the House of Representatives during the last Congress: Provided, That said allowances shall have been duly approved by the Committee on Accounts: And be it further provided, That the said allowances be paid out of any moneys in the treasury not otherwise appropriated: And provided, further, That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House*

to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra pay or extra allowances to any clerk, messenger, or attendant of the said two Houses, or either of them;

It was determined in the affirmative.

On the question to agree to the said amendment proposed by Mr. Doolittle,

It was determined in the negative.

On motion by Mr. Foster, to reconsider the vote on agreeing to the following amendment proposed by Mr. Biggs: Section 3, line 6, after the word Congress, insert:

Not in contravention of the "joint resolution to fix the compensation of the employés in the legislative department of the government, and to prohibit the allowance of the usual extra compensation to such as receive the benefits thereof," approved July 20, 1854;

It was determined in the affirmative, { Yeas 30
Nays 20

On motion by Mr. Biggs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foot, Foster, Gwin, Hale, Houston, Iverson, Kennedy, Polk, Pugh, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Benjamin, Biggs, Bigler, Clay, Douglas, Evans, Fitzpatrick, Green, Hammond, Harlan, Hunter, Johnson, of Tennessee, King, Mallory, Mason, Sebastian, Slidell, Toombs, Wright, Yulee.

On the question to agree to the said amendment proposed by Mr. Biggs,

It was determined in the negative.

On motion by Mr. Iverson, to reconsider the vote on agreeing to the following amendment proposed by Mr. Biggs, viz: Add to the end of the third section the following:

And provided, further, That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra pay or extra allowance to any clerk, messenger, or attendant of the said two Houses, or either of them;

It was determined in the negative, { Yeas..... 8
Nays. 38

On motion by Mr. Doolittle,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Cameron, Gwin, Hale, Iverson, Johnson, of Tennessee, Sebastian, Stuart.

Those who voted in the negative are,

Messrs. Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Chandler, Clark, Clay, Collamer, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Harlan, Hous-

ton, Hunter, Kennedy, King, Mason, Polk, Pugh, Seward, Simmons, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson, Wright, Yulee.

So the motion to reconsider was not agreed to.

On motion by Mr. Biggs, to amend the bill by striking out the whole of section 3, as follows:

“SEC. 3. *And be it further enacted*, That the accounting officers of the treasury be authorized and directed to allow credit to the Clerk of the House of Representatives for such payments out of its contingent fund as have been or may be made under allowances authorized by the House of Representatives during the last Congress: *Provided*, That said allowances shall have been duly approved by the Committee on Accounts: *And be it further provided*, That the said allowances be paid out of any moneys in the treasury not otherwise appropriated: *And provided, further*, That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, nor to apply any part of said appropriation as extra pay or extra allowance to any clerk, messenger, or attendant of the said two Houses, or either of them;”

It was determined in the affirmative, { Yeas..... 25
Nays 22

On motion by Mr. Biggs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Douglas, Evans, Fitzpatrick, Gwin, Hale, Hunter, Iverson, Johnson, of Tennessee, King, Mason, Pugh, Sebastian, Seward, Slidell, Thomson, of New Jersey, Toombs, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foot, Foster, Green, Harlan, Houston, Kennedy, Polk, Simmons, Stuart, Trumbull, Wilson.

So the third section was stricken out.

On the question to concur in the following amendment, made as in Committee of the Whole, viz: Insert the following as a new section:

SEC. —. *And be it further enacted*, That no part of the amount appropriated by this act for the service of any one fiscal year shall be used for or applied to the service of any other year, nor be transferred to or used for any other branch of expenditure than that for which it is specifically appropriated;

It was determined in the negative, { Yeas..... 23
Nays 27

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Harlan, Johnson, of Tennessee, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson,

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Crittenden, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Kennedy, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

So the amendment was not concurred in.

On the question to concur in the following amendment, made as in Committee of the Whole, viz: Insert the following as a new section:

SEC. —. *And be it further enacted, That whenever hereafter contracts shall be made by the Secretary of War or the Secretary of the Navy, by virtue of the sixth section of the act approved the first of May, 1820, entitled "An act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," he shall, if Congress be in session at the time, promptly report to both Houses thereof the reason for making such contract, stating fully all the facts and circumstances which, in his judgment, rendered such contracts necessary; if Congress be not in session at the time of making such contracts, he shall, at the commencement of their next session, make such reports to both Houses; and no such contracts shall be made hereafter except in cases of pressing exigency;*

It was determined in the affirmative.

An amendment being proposed by Fessenden;

On motion by Mr. Seward,

The Senate adjourned.

FRIDAY, APRIL 23, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

I herewith transmit the reports of the Secretary of State and the Secretary of the Navy, with accompanying papers, in answer to the resolution of the Senate of the 19th of January last.

JAMES BUCHANAN.

WASHINGTON, April 21, 1858.

The message was read.

Ordered, That it be referred to the Committee on Foreign Relations.

On motion by Mr. Seward,

Ordered, That the message and accompanying documents be printed.

The bill (H. R. 2) donating public lands to the several States which may provide colleges for the benefit of agriculture and the mechanic arts was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

The bill (H. R. 62) making appropriations for the support of the Military Academy for the year ending the 30th of June, 1859, was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Crittenden presented the petition of Charles Grampp, praying that his pension may be made to commence from the date of his disability; which was referred to the Committee on Pensions.

Mr. Bigler presented a memorial of trustees appointed at a meeting of citizens of Philadelphia, praying that the bill to establish certain ocean post routes between the United States and Europe, and to regulate the transportation of the mails thereon, and to reduce the expenses thereof, now before Congress, may become a law; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Polk,

Ordered, That the petition of James T. V. Thompson, on the files of the Senate, be referred to the Committee on Claims.

Mr. Mason presented a memorial of citizens of Jefferson county, Virginia, praying the location of a national foundry at Shepherds-town, in that county; which was referred to the Committee on Military Affairs and the Militia.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of constructing a wagon road from Fort Smith, in Arkansas, to Albuquerque, in New Mexico, and from Fulton, in Arkansas, to El Paso, in New Mexico, and report by bill or otherwise.

On motion by Mr. Chandler,

Ordered, That the memorial of Captain John B. Montgomery, on the files of the Senate, be referred to the Committee on Claims.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Bernard M. Byrne, submitted a report, (No. 199,) accompanied by a bill (S. 282) for the relief of Bernard M. Byrne.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred the memorial of James Maccaboy, submitted a report, (No. 200,) accompanied by a bill (S. 283) for the relief of James Maccaboy.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred the petition of C. Edward Habicht, administrator of J. W. P. Lewis, submitted a report, (No. 201,) accompanied by a bill (S. 284) for the relief of C. Edward Habicht, administrator of J. W. P. Lewis.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends; and,

After debate,

On motion by Mr. Hunter, that the further consideration of the bill be postponed, for the purpose of considering the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th June, 1858.

Mr. Iverson raised a question of order, whether the motion of Mr

Hunter, superceding the existing order of the Senate, assigning Friday of each week for the consideration of private bills, was in order?

The President *pro tempore* (Mr. Biggs in the chair) decided that the motion of Mr. Hunter was in order.

From this decision Mr. Iverson appealed; and

On the question, "Shall the decision of the chair stand as the judgment of the Senate?"

It was determined in the affirmative, { Yeas..... 26
Nays..... 23

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Clay, Crittenden, Evans, Fitch, Green, Gwin, Hale, Hammond, Harlan, Houston, Hunter, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Bright, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Iverson, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

The motion of Mr. Hunter was then agreed to; and

The Senate resumed the consideration of the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858.

An amendment being proposed by Mr. Fessenden, a debate ensued; and

On motion by Mr. Green,

Ordered, That the bill lie on the table.

Mr. Green from the committee of conference on the disagreeing votes of the two Houses on the bill (S. 161) for the admission of the State of Kansas into the Union, presented a report.

Mr. Stuart having objected to receiving the report,

On motion by Mr. Foster, that the Senate adjourn,

It was determined in the negative, { Yeas..... 23
Nays..... 30

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

The President *pro tempore* (Mr. Mason in the chair) submitted the question to the Senate, "Shall the report be received;" and

It was determined in the affirmative.

Mr. Green thereupon submitted the following report :

The Committee of Conference appointed to consider the disagreeing votes of the two Houses on the amendment to the Senate bill No. 161, entitled "A bill for the admission of the State of Kansas into the Union," report :

That they have had the subject under consideration, and have given it that careful, patient, and mature deliberation which they conceive its importance demands, and have agreed upon an amendment in the nature of a substitute for the House amendment to the Senate bill.

They earnestly recommend the adoption of this amendment by the two Houses of Congress.

W. H. ENGLISH,
ALEXANDER H. STEPHENS,
Managers on the part of the House.
JAMES S GREEN,
R. M. T. HUNTER,
Managers on the part of the Senate.

The undersigned, one of the managers on the part of the Senate, does not agree to the foregoing report.

WILLIAM H. SEWARD.

The undersigned, one of the managers on the part of the House, does not agree to the foregoing report.

WM. A. HOWARD.

The report was read.

On motion by Mr. Green, that the report be printed,

It was determined in the affirmative.

On motion by Mr. Green, that the consideration of the said report be postponed to, and be the special order of the day for, next Monday, at one o'clock,

Mr. Stuart objected to the consideration of the report.

After debate,

On motion by Mr. Stuart, that the Senate adjourn,

It was determined in the negative, { Yeas 23
Nays 29

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Kennedy, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

■ The question recurring on the motion by Mr. Green, that the further consideration of the report be postponed to, and be the special order of the day for, Monday next, at one o'clock,

The motion was agreed to.

On motion by Mr. Seward,
The Senate adjourned.

SATURDAY, APRIL 24, 1858.

Mr. Gwin presented fifty-four petitions of citizens of California, and a petition of citizens of Oregon, praying the enactment of a law to provide for the better security of the lives of passengers on board of steamers navigating the ocean, and propelled in whole or in part by steam; which were referred to the Committee on Post Offices and Post Roads.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 285) to provide for the better security of the lives of passengers on board of steamers navigating the ocean, propelled wholly or in part by steam; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Bigler presented four petitions of citizens of Philadelphia, praying that an appropriation may be made for carrying the mails between that city and Southampton, in England, in the Collins line of steamers; which were referred to the Committee on Post Offices and Post Roads.

Mr. Crittenden presented the petition of William R. Babcock, guardian of Samuel Pearce, a passed midshipman in the navy, who was placed upon the retired list, praying to be allowed the difference between leave of absence and furlough pay; which was referred to the Committee on Naval Affairs.

Mr. Mason presented the petition of R. T. Walton and others, heirs-at-law of Jehu Walton, praying that the assignment of a land warrant, issued in the name of said Jehu Walton, may be legalized; which was referred to the Committee on Public Lands.

Mr. Seward presented the petition of James C. Jewett, praying that a demand may be made on the government of Peru for indemnity for losses sustained by him in consequence of the failure of that government to fulfil its agreement with the United States in relation to the Lobos Islands; which was referred to the Committee on Claims.

On motion by Mr. Seward,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the bill (S. 281) to secure a prompt construction of a line of telegraph from San Francisco to Fort Smith, and from thence to St. Louis and to Memphis, and that it be referred to the Committee on Post Offices and Post Roads.

Mr. Yulee presented a presentment of the grand jury of the United

States for the northern district of Florida, relative to increasing the pay of the judge, jurors, witnesses, and officers of that court; the irregularities of the mails in Florida, and the propriety of a change in the mails between that State and Savannah, in Georgia; the granting of lots in St. Augustine for school purposes, and the cession to the State of the United States barracks, in St. Augustine, for a seminary of learning; which was referred to the Committee on Post Offices and Post Roads.

Mr. Yulee presented a memorial of members of the bar of the northern district of Florida, praying that the salary of the judge of that district may be increased; which was referred to the Committee on the Judiciary.

Mr. Houston presented the memorial of Edward D. Tippet, praying the aid of Congress to test his "cold water steam engine;" which was referred to the Committee on Naval Affairs.

Mr. Thomson, of New Jersey, presented a petition of citizens of Philadelphia, praying an appropriation for carrying the mails between that city and Southampton, in England, in the Collins line of steamers; which was referred to the Committee on Post Offices and Post Roads.

Mr. Clay presented the memorial of Thomas Watts, an invalid pensioner, praying to be allowed back pension; which was referred to the Committee on Pensions.

Mr. Bigler submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate be directed to request the Court of Claims to return to the Senate the petition and papers in the case of the application of Findly Patterson for damages, as a contractor for the erection of public buildings in the Territory of Kansas.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to transmit to the Senate, if not incompatible with the public interest, copies of any correspondence in the Department of State concerning the outrages lately committed against the family of Mr. Dickson, an American citizen, residing at Jaffa, in Palestine.

Mr. Chandler submitted the following resolution for consideration:

Resolved, That the Committee on Commerce be instructed to report the bill, heretofore referred to them, making an appropriation for the completion of the channel over the St. Clair flats, in the State of Michigan, and that the appropriation be reduced to fifty-five thousand dollars.

Mr. Mallory asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 30) to extend for a further term the provisions of the joint resolution approved March 10, 1858, in relation to certain dropped and retired officers of the navy; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 286) to enlarge the Detroit and Saginaw land districts in Michigan; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Chandler asked and, by unanimous consent, obtained leave to bring in a joint resolution (S 31) authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select; which was read and passed to a second reading.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the petition of Sherlock and Shirley, submitted a report, (No. 202,) accompanied by a bill (S. 287) for the relief of Sherlock and Shirley.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was recommended the petition of Miles Devine, submitted a report, (No. 203,) accompanied by a bill (S. 288) for the relief of Miles Devine.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory asked and, by unanimous consent, obtained leave to bring in a bill (S. 289) explanatory of an act granting public lands to aid in the construction of a railroad in the States of Florida and Alabama, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Collamer asked and, by unanimous consent, obtained leave to bring in a bill (S. 290) for the relief of the legal representatives of George Mayo, deceased; which was read the first and second times, by unanimous consent, and referred to the Committee on Claims.

The Senate resumed the consideration of the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858.

On motion by Mr. Fessenden, to amend the bill by striking out all after the 30th line to line 116, inclusive, and, in lieu thereof, inserting:

To supply a deficiency of appropriations for the regular supplies of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-seven, two hundred and seventy-nine thousand three hundred and seventy-seven dollars and fifty-seven cents.

To supply a deficiency of appropriations for the incidental expenses of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-seven, one hundred and twenty-nine thousand eight hundred and sixty dollars and twenty cents.

To supply a deficiency of appropriations for the transportation of troops and supplies in the year ending June thirty, eighteen hundred and fifty-seven, seven hundred and fifty-one thousand four hundred and eighty-seven dollars and fifteen cents.

To supply a deficiency of appropriations for barracks and quarters in

the year ending June thirty, eighteen hundred and fifty-seven, sixty-seven thousand nine hundred and fifty-four dollars and thirty-nine cents.

To supply a deficiency of appropriations for the regular supplies of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-eight, three hundred thousand dollars.

To supply a deficiency of appropriations for incidental expenses of the quartermaster's department in the year ending June thirty, eighteen hundred and fifty-eight, sixty thousand dollars.

To supply a deficiency of appropriations for transportation of troops and supplies in the year ending June thirty, eighteen hundred and fifty-eight, two millions of dollars.

To supply a deficiency of appropriations for constructing barracks, and other expenses incident to the same and to quarters for the troops, and to store-houses for the safe keeping of military stores during the year ending June thirty, eighteen hundred and fifty-eight, thirty thousand dollars.

To supply a deficiency of appropriations for the purchase of horses necessary to be purchased in the year ending June thirty, eighteen hundred and fifty-eight, for the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, the companies of light artillery, and such infantry as it may be found necessary to mount at the frontier posts, one hundred thousand dollars ;

It was determined in the negative,	{	Yeas	22
		Nays.....	30

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson, of Tennessee, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Harlan, to amend the bill by striking out, section 1, the words:

“For surveying the public lands and private land claims in California, including office expenses incident to the survey of claims, and to be disbursed at the rates prescribed by law for the different kinds of work, being the amount of surveying liabilities incurred by the surveyor general during the fiscal year ending thirtieth June, eighteen hundred and fifty-seven, over and above that authorized under the appropriation of fifty thousand dollars for that period, two hundred and twenty thousand dollars ;”

It was determined in the negative, } Yeas 13
 } Nays..... 34

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Chandler, Clark, Dixon, Doolittle, Durkee, Foster, Hale, Harlan, King, Seward, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Clay, Crittenden, Douglas, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Clark, to amend the bill by inserting the following as an additional section :

SEC. —. *And be it further enacted, That if any part of the moneys hereby appropriated shall remain unexpended at the end of the fiscal year terminating June 30, 1859, all such sums as shall so remain unexpended shall be carried to the "surplus fund" account, and shall not be paid from the treasury without further specific appropriation ;*

It was determined in the negative, { Yeas 18
Nays 29

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Harlan, Johnson, of Tennessee, King, Seward, Simmons, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Jones, Kennedy, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

No further amendment being proposed,

On the question, Shall the amendments be engrossed and the bill read a third time ?

It was determined in the affirmative.

The said bill was read a third time as amended.

On the question, Shall this bill pass with amendments ?

It was determined in the affirmative, { Yeas 29
Nays 19

On motion by Mr. King,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Harlan, King, Simmons, Stuart, Trumbull, Wade, Wilson.

So it was

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

After the consideration of executive business,
The Senate adjourned.

MONDAY, APRIL 26, 1858.

Mr. Hamlin presented additional papers, explanatory of the accounts of the State of Maine against the United States, under the treaty of Washington; which were referred to the Committee on Foreign Relations.

Mr. Biggs presented the memorial of John H. Wheeler, late United States minister to Nicaragua, praying remuneration for services, losses, and expenses, incident to the said mission; which was referred to the Committee on Foreign Relations.

Mr. Seward presented resolutions of the legislature of New York, requesting the senators and representatives of that State in Congress to use all honorable means to obtain the promotion of Lieutenant Maury to such rank in the navy as his eminent services and merits entitle him to.

Ordered, That they lie on the table and be printed.

Mr. Wilson presented a petition of ship owners and merchants of Boston, protesting against the enactment of a law requiring them to purchase Rodgers' signals.

Ordered, That it lie on the table.

Mr. Pugh presented a petition of Thomas Jones and others of Clermont county, Ohio, praying to be allowed bounty land for services in the war of 1812; which was referred to the Committee on Public Lands.

Mr. Bright presented the memorial of Madison Sweetser, praying compensation for provisions, blankets, &c., furnished the Dacotah Indians, at Traverse des Sioux, in Minnesota Territory; which was referred to the Committee on Indian Affairs.

Mr. Iverson presented the memorial of A. Davis Harrell, a lieutenant in the navy, who had been placed upon the retired list and afterwards restored to the active service list, praying indemnity for expenses incurred in defending himself before the board upon whose judgment he was restored to his position in the navy; which was referred to the Committee on Naval Affairs.

Mr. Brown presented a petition of citizens of Washington county, in the District of Columbia, praying an amendment of the act of July 1, 1812, conferring certain powers on the levy court of said county; which was referred to the Committee on the District of Columbia.

Mr. Brown presented a petition of citizens of the District of Columbia, praying that an appropriation may be made for improving Boundary street, in the city of Washington; which was referred to the Committee on the District of Columbia.

On motion by Mr. Mallory,

Ordered, That the petition of Henry Etting, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. King, from the Committee on Pensions, to whom was referred the petition of Webster S. Steele, submitted a report, (No. 204,) accompanied by a bill (S. 291) for the relief of Webster S. Steele.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. King, from the Committee on Pensions, to whom was referred the petition of James A. Glanding, submitted a report, (No. 205,) accompanied by a bill (S. 292) for the relief of James A. Glanding.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 65) for the relief of Thomas Smithers, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Franklin Peale, submitted a report, (No. 206,) accompanied by a bill (S. 293) for the relief of Franklin Peale.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The joint resolution (S. 31) authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select, was read the second time.

On motion by Mr. Biggs,

Ordered, That it be referred to the Committee on Commerce.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 100. An act to revive an act entitled "An act for the relief of the heirs, or their legal representatives, of William Conway, deceased;"

H. R. 209. An act for the relief of the representatives of William Smith, deceased, late of Louisiana;

H. R. 211. An act for the relief of the heirs and legal representatives of Pierre Broussard, deceased;

H. R. 214. An act for the relief of Regis Loisel, or his legal representatives.

The Senate resumed, as in Committee of the Whole, the consideration of the resolution (S. 28) for the adjustment of differences with the republic of Paraguay; and

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Green, that the prior order of the day be postponed,

It was determined in the affirmative,

On motion by Mr. Green, that the Senate proceed to the consideration of the report of the Committee of Conference on the disagreeing votes of the two Houses on the bill (S. 161) for the admission of the State of Kansas into the Union,

Mr. Stuart called for the reading of the amendment of the House of Representatives to the said bill.

Mr. Hunter objected to the reading of the said amendment.

The President *pro tempore* (Mr. Biggs in the chair) decided that, in conformity to the 14th rule of the Senate, when the reading of a paper is called and the same is objected to by any member, it shall be determined by a vote of the Senate and without debate.

From this decision Mr. Stuart appealed.

On motion by Mr. Toombs, that the appeal lie on the table,

It was determined in the negative, { Yeas..... 25
Nays..... 25

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Henderson, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

So the motion by Mr. Toombs, that the appeal lie on the table, was disagreed to.

On the question, Shall the decision of the Chair stand as the judgment of the Senate?

It was determined in the affirmative, { Yeas..... 30
Nays..... 14

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Bigler, Bright, Clay, Evans, Fitzpatrick, Green, Hammond, Harlan, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Sebastian, Simmons, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foster, Hamlin, King, Seward, Stuart.

Mr. Stuart withdrew his call for the reading of the amendment of the House of Representatives to the said bill: and

The question recurring on the motion to consider the report of the Committee of Conference,

A motion was made by Mr. Crittenden, that the further consideration thereof be postponed until Wednesday next,

It was determined in the negative, { Yeas..... 25
Nays..... 29

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Cameron, that the Senate adjourn,

It was determined in the negative, { Yeas..... 22
Nays..... 29

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Crittenden, Dixon, Doolittle, Douglas, Durkee, Foster, Hamlin, Harlan, Kennedy, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Wilson, that the Senate adjourn,

It was determined in the negative, { Yeas..... 19
Nays..... 25

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Foot, Foster, King, Pugh, Seward, Simmons, Stuart, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Evans, Fitzpatrick, Green, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Wade, that the motion of Mr. Green that the Senate proceed to the consideration of the report of the Committee of Conference lie on the table,

It was determined in the negative, { Yeas..... 17
Nays..... 25

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Foot, Foster, King, Pugh, Seward, Simmons, Stuart, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Evans, Fitzpatrick, Green, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Foster that the Senate adjourn,

It was determined in the negative, { Yeas..... 17
Nays 26

On motion by Mr. Broderick,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Foster, King, Seward, Simmons, Stuart, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Evans, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Wade, that the Senate adjourn,

It was determined in the negative, { Yeas..... 13
Nays 20

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Doolittle, Douglas, Fessenden, Foot, King, Simmons, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Clay, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On the motion by Mr. Green, that the Senate consider the report of the Committee of Conference,

It was determined in the affirmative, { Yeas..... 32
Nays 9

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Cameron, Clark, Clay, Fitch, Fitzpatrick, Green, Hale, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Polk, Sebastian, Simmons, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Collamer, Doolittle, Durkee, Fessenden, Foot, Hamlin, Harlan, King.

So the Senate proceeded to consider the said report of the Committee of Conference.

On motion by Mr. Green, that the further consideration thereof

be postponed until to-morrow, at half-past twelve o'clock, and be the special order of the day,

It was determined in the affirmative, { Yeas..... 22
Nays 14

On motion by Mr. Toombs.

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Doolittle, Durkee, Fessenden, Foot, Green, Hamlin, Harlan, Houston, Jones, Kennedy, Simmons, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Biggs, Bigler, Bright, Clay, Fitch, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Polk, Sebastian, Slidell, Toombs, Trumbull, Wright.

On motion by Mr. Pugh,

The Senate adjourned.

TUESDAY, APRIL 27, 1858.

The President *pro tempore* laid before the Senate a letter of the chief clerk of the Court of Claims, returning, in compliance with a resolution of the Senate, the petition and papers of Findley Patterson, heretofore referred by the Senate to that court; which was read.

On motion by Mr. Bigler,

Ordered, That it lie on the table.

The President *pro tempore* laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, information in relation to the cost of the public printing and advertising during the last five years, other than that ordered by Congress, at each of the printing establishments in Washington, under what authority executed, and whether any change in existing laws is necessary to insure a proper economy in that branch of the public expenditure; which was read.

On motion by Mr. Hamlin,

Ordered, That it lie on the table and be printed.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives disagrees to the first and second amendments of the Senate to the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858, and agrees to the third amendment of the Senate to the said bill.

The President of the United States approved and signed, the 7th of April, an act (H. R. 313) to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President to call into the service of the United States two additional regiments of volunteers;

On the 19th of April an act (H. R. 210) for the relief of the legal

representatives or assignees of James Lawrence ; and on the 21st of April the following acts :

H. R. 212. An act for the relief of N. C. Weems, of Louisiana ;

H. R. 208. An act for the relief of the heirs of Alexander Stevenson ;

H. R. 213. An act for the relief of Francis Wlodecki ;

The Senate proceeded to consider its amendments, disagreed to by the House of Representatives, to the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858 ; and

On motion by Mr. Hunter,

Ordered, That they be referred to the Committee on Finance.

The bills H. R. 100, H. R. 209, H. R. 211, and H. R. 214, yesterday received from the House of Representatives for concurrence, were read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Seward presented the petition of R. J. Todd, praying a reduction of the postage between the cities of New York, Brooklyn, and Williamsburg ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Gwin presented a petition of citizens of California, praying that an appropriation may be made for the survey of the harbor of Crescent City, for the purpose of constructing a breakwater ; which was referred to the Committee on Commerce.

Mr. Gwin presented a petition of residents of Solano county, California, praying the establishment of a weekly mail from Nurse's Landing to Suisun city, in that State ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Gwin presented a petition of citizens of Colusa, California, praying the establishment of a mail route from that place to Marysville ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Gwin presented papers in favor of the adoption of Oliver Evan Wood's plan for the safe delivery of letters sent by mail to California, Oregon, and Washington ; which were referred to the Committee on Post Offices and Post Roads.

Mr. Gwin presented a petition of citizens of California, praying that an appropriation may be made to pay the expenses incurred by that State in the suppression of Indian hostilities ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Seward presented the petition of E. H. Herndon, widow of W. L. Herndon, late of the navy, praying to be allowed three years' full pay of her husband as a commander ; which was referred to the Committee on Naval Affairs.

Mr. Harlan presented the petition of Joseph Brobst, praying the payment of certain continental scrip received by his father in payment for services as a soldier in the revolutionary war, with interest thereon ; which was referred to the Committee on Claims.

Mr. Gwin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Post Offices and Post Roads be

instructed to inquire into the expediency of establishing a mail route from the city of San Francisco, *via* Alviso, to San José, California.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (H. R. 359) for the relief of Duncan Robertson.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of its President.

The President *pro tempore* signed the enrolled bill last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States approved and signed, the 21st instant, the bill (S. 202) entitled An act for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 32) for the benefit of the widow of Commander William Lewis Herndon, United States navy; which was read the first and second times, by unanimous consent, and referred to the Committee on Naval Affairs.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Lemuel Worster, submitted a report, (No. 207,) accompanied by a bill (S. 294) for the relief of Lemuel Worster.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of David D. Porter, submitted a report, (No. 208,) accompanied by a bill (S. 295) for the relief of David D. Porter.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 207) to amend an act entitled "An act granting a pension to Ansel Wilkinson," approved August 13, 1856, reported it without amendment.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 296) amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Gwin, from the Committee on Finance, to whom was referred the bill (S. 98) to authorize and direct the payment of certain moneys into the treasury of the State of California which were collected in the ports of said State as a revenue upon imports since the ratification of the treaty of peace between the United States and the republic of

Mexico, and prior to the admission of said State into the Union, reported it without amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 5) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859, reported it without amendment.

The Senate proceeded to consider the resolution submitted by Mr. Broderick the 21st instant respecting the collections by the postmaster at San Francisco for box rents; and

While the same was under consideration,

The hour arrived for the consideration of the special order of the day; and

The Senate resumed the consideration of the report of the Committee of Conference on the disagreeing votes of the two houses on the bill (S. 161) for the admission of the State of Kansas into the Union.

On motion by Mr. Green, that the Senate agree to the report of the Committee of Conference,

After debate,

On motion by Mr. Seward, that the Senate adjourn,

It was determined in the negative, { Yeas..... 22
Nays 23

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Crittenden, Dixon, Douglas, Durkee, Fessenden, Foster, Hamlin, Harlan, Houston, Kennedy, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Biggs, Bigler, Bright, Clay, Evans, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Slidell, Toombs, Wright, Yulee.

On motion by Mr. Seward, that the further consideration of the report of the Committee of Conference be postponed until half-past 12 o'clock to-morrow, and be the special order of the day,

It was determined in the affirmative, { Yeas..... 35
Nays 10

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Broderick, Brown, Cameron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Douglas, Durkee, Evans, Fessenden, Fitzpatrick, Foot, Foster, Gwin, Harlan, Houston, Hunter, Jones, Kennedy, King, Polk, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are.

Messrs. Biggs, Bright, Green, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Toombs, Wright.

On motion by Mr. Chandler,

The Senate adjourned.

instructed to inquire into the expediency of establishing a mail route from the city of San Francisco, *via* Alviso, to San José, California.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (H. R. 359) for the relief of Duncan Robertson.

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Mr. President: The President of the United States approved and signed, the 21st instant, the bill (S. 202) entitled An act for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army.

Ordered, That the Secretary notify the House of Representatives accordingly.

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Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Lemuel Worster, submitted a report, (No. 207,) accompanied by a bill (S. 294) for the relief of Lemuel Worster.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of David D. Porter, submitted a report, (No. 208,) accompanied by a bill (S. 295) for the relief of David D. Porter.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 207) to amend an act entitled "An act granting a pension to Ansel Wilkinson," approved August 13, 1856, reported it without amendment.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 296) amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Gwin, from the Committee on Finance, to whom was referred the bill (S. 98) to authorize and direct the payment of certain moneys into the treasury of the State of California which were collected in the ports of said State as a revenue upon imports since the ratification of the treaty of peace between the United States and the republic of

Mexico, and prior to the admission of said State into the Union, reported it without amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 5) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859, reported it without amendment.

The Senate proceeded to consider the resolution submitted by Mr. Broderick the 21st instant respecting the collections by the postmaster at San Francisco for box rents; and

While the same was under consideration,

The hour arrived for the consideration of the special order of the day; and

The Senate resumed the consideration of the report of the Committee of Conference on the disagreeing votes of the two houses on the bill (S. 161) for the admission of the State of Kansas into the Union.

On motion by Mr. Green, that the Senate agree to the report of the Committee of Conference,

After debate,

On motion by Mr. Seward, that the Senate adjourn,

It was determined in the negative, { Yeas..... 22
Nays 23

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Crittenden, Dixon, Douglas, Durkee, Fessenden, Foster, Hamlin, Harlan, Houston, Kennedy, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Biggs, Bigler, Bright, Clay, Evans, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Slidell, Toombs, Wright, Yulee.

On motion by Mr. Seward, that the further consideration of the report of the Committee of Conference be postponed until half-past 12 o'clock to-morrow, and be the special order of the day,

It was determined in the affirmative, { Yeas..... 35
Nays 10

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Broderick, Brown, Cameron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Douglas, Durkee, Evans, Fessenden, Fitzpatrick, Foot, Foster, Gwin, Harlan, Houston, Hunter, Jones, Kennedy, King, Polk, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are.

Messrs. Biggs, Bright, Green, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Toombs, Wright.

On motion by Mr. Chandler,

The Senate adjourned.

WEDNESDAY, APRIL 28, 1858.

Mr. Brown presented a memorial of residents of the fifth and sixth wards of the city of Washington, praying that an appropriation may be made for the improvement of that part of Pennsylvania avenue lying east of the capitol; which was referred to the Committee on the District of Columbia.

Mr. Seward presented additional papers in relation to the claim of Martha Brown; which were referred to the Committee on Revolutionary Claims.

On motion by Mr. Seward,

Ordered, That the adverse report on the petition of Martha Brown be recommitted to the Committee on Revolutionary Claims.

Mr. Mason presented a resolution of the legislature of Virginia, in favor of the final settlement of half-pay to officers of the revolutionary war promised by resolutions of the continental Congress; which was ordered to lie on the table and be printed.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the report of the Secretary of the Navy in relation to the condition of the ship *Susquehanna* on her arrival at the island of Jamaica, &c., submitted a report, (No. 212,) accompanied by a joint resolution (S. 33) authorizing suitable acknowledgments to be made by the President to the British naval authorities at Jamaica for the relief extended to the officers and crew of the United States ship *Susquehanna*, disabled by yellow fever.

The joint resolution (S. 33) was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time, by unanimous consent.

Resolved, unanimously, That the resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Mason,

Ordered, That the report be printed.

Mr. Hale, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. 32) for the benefit of the widow of Commander William Lewis Herndon, United States navy, reported it without amendment.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (S. 133) to extend an act approved the 3d day of February, 1853, entitled "An act to continue half-pay to certain widows and orphans," reported it without amendment and that it be postponed indefinitely.

Mr. Foster, from the Committee on Pensions, to whom the subject was referred, reported a bill (S. 297) to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853; which was read and passed to a second reading.

Mr. Clark, from the Committee on Claims, to whom was referred the petition of James Hendebert, submitted an adverse report, (No. 211;) which was ordered to be printed.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred a resolution of the legislature of California, in favor of the cession to that State of the Monterey Redoubt, for the establishment of a military academy or other purposes of education, submitted an adverse report.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Isaac W. Brown, submitted an adverse report.

On motion by Mr. Johnson, of Arkansas.

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the petition of Doctor A. S. Wright, and that it be referred to the Committee on Foreign Relations.

Mr. Thomson, of New Jersey, from the Committee on pensions, to whom was referred the petition of Catherine Jacobs, submitted a report, (No. 213,) accompanied by a bill (S. 298) for the relief of Catherine Jacobs, widow of Francis Jacobs, a waiter in the military household of General Washington.

The said bill (S. 298) was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Thomson, of New Jersey,

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of O. H. Browne, submitted an adverse report, (No. 209;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of William L. S. Dearing, submitted an adverse report, (No. 210;) which was ordered to be printed.

Mr. Sebastian, from the Committee on Indian Affairs, reported the following resolution; which was read and passed to a second reading:

Resolved, That there be paid to honorable Willis A. Gorman, governor of Minnesota Territory, the sum of eight hundred and twenty dollars, as compensation for his services as commissioner to investigate the alleged frauds of Alexander Ramsey, late superintendent of Indian affairs for the northern superintendency, and for reimbursement of his necessary expenses incurred therein.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a joint resolution (H. R. 26) authorizing the arrangement and disposal of public buildings in the city of Philadelphia; in which it requests the concurrence of the Senate.

The House of Representatives has passed the following bills and joint resolution of the Senate:

S. 36. An act to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States in certain cases;

S. 97. An act to incorporate the Benevolent Christian Association of Washington City;

S. 111. An act to alter the times of holding the circuit and district courts of the United States for the district of Vermont;

S. 22. Joint resolution providing for the payment of certain expenses of holding the United States courts in the Territory of Utah; and

It has passed the bill of the Senate (S. 76) to incorporate Gonzaga College, in the city of Washington and District of Columbia, with an amendment; in which it requests the concurrence of the Senate.

The Senate resumed the consideration of the report of the Committee of Conference on the disagreeing votes of the two houses on the bill (S. 161) for the admission of the State of Kansas into the Union; and

After debate,

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed to, and be the special order of the day for, to-morrow, at half-past twelve o'clock.

On motion by Mr. Wilson,

The Senate adjourned.

THURSDAY, APRIL 29, 1858.

The joint resolution (H. R. 26) authorizing the arrangement and disposal of public buildings in the city of Philadelphia was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 76) to incorporate Gonzaga College, in the city of Washington and District of Columbia; and,

On motion by Mr. Brown,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Brown presented a petition of citizens and residents of the cities of Washington and Georgetown, in the District of Columbia, praying the reorganization of the criminal court in said District; which was referred to the Committee on the Judiciary.

Mr. Jones presented the memorial of James Thorington, praying the establishment of an additional land district in the State of Iowa; which was referred to the Committee on Public Lands.

Mr. Hammond presented a presentment of the grand jury of the April term of the circuit court of the United States for the district of

South Carolina, sitting in Charleston, recommending that a suitable building be provided for the accommodation of the United States courts at that place; which was referred to the Committee on the Judiciary.

Mr. Bigler presented the petition of George T. Parry, praying that the Secretary of the Navy be authorized to purchase his patent for an instrument, the object of which is to abolish the friction attending the thrust of propellers; which was referred to the Committee on Naval Affairs.

Mr. Harlan presented the petition of citizens of Iowa, praying that a license may be granted to Lewis A. Thomas, for the establishment of a ferry across the Missouri river, within the limits of the proposed Territory of Dacotah; which was referred to the Committee on Territories.

Mr. Jones submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate pay, from the contingent fund of the Senate, the sum of two hundred dollars, to B. L. Bogan, for the services of his son in the document room of the Senate.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of William Blake, submitted an adverse report, (No. 217;) which was ordered to be printed.

Mr. Jones presented additional papers in relation to the claim of Captain John Pickell; which were referred to the Committee on Pensions.

On motion by Mr. Jones,

Ordered, That the adverse report on the memorial of Captain John Pickell be recommitted to the Committee on Pensions.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the papers in relation to the claim of Levi Johnson and of Mary Burchfield, and that they be referred to the Committee on Public Lands.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of William Roddy.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the petition of officers of insurance companies and others, of Chicago, Illinois, praying the repeal of the act of March 5, 1856, authorizing the Secretary of the Treasury to change the names of vessels in certain cases, and the petition of officers of insurance companies and others, of Chicago, Illinois, praying the enactment of a law requiring sailing vessels to carry lights.

Mr. Houston presented the petition of Sarah Brashear, mother of William C. Brashear, deceased, an officer in the Texan navy at the time of the annexation of Texas to the United States, praying to be allowed the benefit of the act granting five years' half pay to the surviving officers of the Texan navy; which was referred to the Committee on Naval Affairs.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed a bill (H. R. 542) to authorize the vestry of Washington parish to take and enclose certain parts of streets in Washington city, for the purpose of extending the Washington cemetery, and for other purposes, in which I am directed to request the concurrence of the Senate.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a bill (S. 299) to establish an additional land district in the State of Iowa ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 286) to enlarge the Detroit and Saginaw land districts in Michigan, reported it without amendment.

Mr. Bigler, from the Committee on Commerce, to whom was referred the bill (H. R. 482) regulating the compensation of the officers and marines of the revenue cutters, reported it without amendment.

Mr. Johnson, of Arkansas, from the Committee on Public Lands, to whom was referred the bill (S. 289) explanatory of an act granting public lands to aid in the construction of a railroad in the States of Florida and Alabama, and for other purposes, reported it without amendment, and with a recommendation that it do not pass.

Mr. Hamlin, from the Committee on Commerce, to whom was referred the bill (S. 222) for the relief of Jeremiah Moors, reported it without amendment.

Mr. Hamlin also submitted a report on the subject, (No. 214;) which was ordered to be printed.

Mr. Harlan asked and, by unanimous consent, obtained leave to bring in a bill (S. 300) for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855 ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

The bill (S. 274) for the relief of Randall Pegg was read the second time and considered as in Committee of the Whole ; and,

On motion by Mr. Simmons,

Ordered, That the bill be recommitted to the Committee on Patents and the Patent Office.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of Henry Etting, submitted a report, (No. 215,) accompanied by a bill (S. 301) for the relief of Henry Etting.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of James H. Frost and Eliza A. Johnson, submitted a report, (No. 216,) accompanied by a joint resolution (S. 34) for the relief of the legal representatives of John A. Frost, deceased.

The joint resolution was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 296) amendatory of an act entitled " An act to

establish two additional land districts in the Territory of Minnesota," approved July 8, 1856, reported it without amendment.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 21) devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1852; and no amendment being made it was reported to the Senate.

Ordered, That the joint resolution be engrossed and read the third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hunter, from the Committee on Finance, to whom was referred the amendments of the Senate to the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858, disagreed to by the House of Representatives, reported thereon.

On motion by Mr. Hunter, that the Senate recede from their amendments to said bill, disagreed to by the House of Representatives,

It was determined in the negative, { Yeas..... 18
Nays 22

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Brown, Crittenden, Evans, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Johnson, of Arkansas, Mason, Polk, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Biggs, Broderick, Chandler, Clark, Dixon, Douglas, Durkee, Foster, Hale, Hamlin, Harlan, Henderson, Johnson, of Tennessee, Jones, King, Mallory, Pugh, Seward, Simmons, Toombs, Trumbull, Wade.

On motion by Mr. Toombs,

Resolved, That the Senate insist on their amendments disagreed to by the House of Representatives to the said bill, and ask a conference on the disagreeing votes of the two Houses thereon.

Ordered, That the Committee of Conference on the part of the Senate be appointed by the President *pro tempore*; and

Mr. Toombs, Mr. Biggs, and Mr. Fessenden were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives insists on its disagreement to the amendments of the Senate to the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending 30th of June, 1858, insisted on by the Senate; agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Letcher, Mr. Maclay, and Mr. Nichols the committee on its part.

The Senate resumed the consideration of the report of the Committee of Conference on the disagreeing votes of the two Houses on the bill (S. 161) for the admission of the State of Kansas into the Union ; and,

After debate,

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed to, and be the special order of the day for, to-morrow, at half past twelve o'clock.

On motion of Mr. Thomson, of New Jersey,
The Senate adjourned.

FRIDAY, APRIL 30, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary :

To the Senate of the United States :

I transmit a report from the Secretary of State, in answer to the resolution of the Senate of the 24th ultimo, requesting information relative to the seizure in the valley of Sitana, in Peru, by authorities of Chil , of a sum of money belonging to citizens of the United States.

JAMES BUCHANAN.

WASHINGTON, *April* 28, 1858.

The message was read.

On motion by Mr. Hunter,

Ordered, That it be referred to the Committee on Foreign Relations.

The President *pro tempore* laid before the Senate a report of the Secretary of the Interior, in answer to a resolution of the Senate relative to the United States reserved sections in township 89, range 47, in the State of Iowa.

Ordered, That it lie on the table and be printed.

The bill (H. R. 542) to authorize the vestry of Washington parish to take and enclose certain parts of streets in Washington city for the purpose of extending the Washington cemetery, and for other purposes, was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

On motion by Mr. Brown,

Ordered, That leave be granted to withdraw from the files of the Senate the memorial of a committee of the levy court for the county of Washington, in the District of Columbia, asking an appropriation for certain roads in said county on certain conditions.

Mr. Brown presented the petition of Thomas W. Jordan, late captain's clerk on board the United States ship *Fredonia*, praying to be allowed the difference between his pay as captain's clerk and that of

purser during the time he acted as such; which was referred to the Committee on Naval Affairs.

On motion by Mr. Kennedy,

Ordered, That James Conrad have leave to withdraw his petition and papers.

Mr. Sebastian presented papers in relation to the claim of Willis A. Gorman, governor of Minnesota Territory, for compensation for services as commissioner to investigate frauds alleged to have been committed by Alexander Ramsey, late superintendent of Indian affairs for the northern superintendency; which were referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Johnson, of Arkansas, presented a petition of citizens of Bourbon county, Kansas, settlers on lands known as the New York Indian lands, praying that the Indian title thereto may be extinguished, and that they may be allowed the right of pre-emption; which was referred to the Committee on Public Lands.

Mr. Johnson, of Arkansas, presented a petition of citizens of the town of Fort Scott, Kansas, remonstrating against special legislation in relation to the lands upon which that town is situated; which was referred to the Committee on Public Lands.

Mr. Doolittle submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of constructing a wagon road from Fort Benton, on the Missouri river, to the navigable waters of the Columbia river, at or near Fort Walla-Walla, and report by bill or otherwise.

The resolution submitted by Mr. Sebastian the 28th instant, to pay Willis A. Gorman, governor of Minnesota Territory, for his services as commissioner to investigate frauds alleged to have been committed by Alexander Ramsey, late superintendent of Indian affairs for the northern superintendency, was read a second time and considered as in Committee of the Whole; and having been amended,

On motion by Mr. Sebastian,

Ordered, That it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The Senate resumed the consideration of the resolution submitted by Mr. Houston the 16th February last, in relation to an efficient protectorate by the United States over the Central American States; and having been amended on the motion of Mr. Houston,

On motion by Mr. Mason,

Ordered, That the resolution lie on the table.

Mr. King, from the Committee on Pensions, to whom was referred the petition of James Smith, submitted a report, (No. 218,) accompanied by a bill (S. 302) for the relief of James Smith.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the memorial of Isaac Varn, sr., submitted a report, (No. 219,) accompanied by a bill (S. 303) for the relief of Isaac Varn, senior.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Mallory,

Ordered, That the petition and adverse report in the case of the seamen on board the United States steamer Missouri, destroyed by fire at Gibraltar in 1843, be recommitted to the Committee on Naval Affairs.

Mr. Iverson, from the Committee on Claims, to whom was referred the bill (H. R. C. C. 80) for the relief of Captain James Mc. McIntosh, of the United States Navy, reported it without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the said bill (H. R. C. C. 80;) and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Toombs, from the Committee of Conference, on the part of the Senate, on the disagreeing votes of the two Houses on the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, eighteen hundred and fifty-eight, reported that having taken the subject into full and careful consideration, they are unable to come to any agreement thereon.

R. TOOMBS,
W. P. FESSENDEN,
ASA BIGGS,
J. LETCHER,
M. H. NICHOLS.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

S. 286. Bill to enlarge the Detroit and Saginaw land districts in Michigan;

S. 296. Bill amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856; and, no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed the consideration of the report of the Committee of Conference on the bill (S. 161) for the admission of the State of Kansas into the Union; and,

After debate,

A message was received from the House of Representatives by Mr. Allen, their Clerk:

Mr. President: The House of Representatives concur in the report of the Committee of Conference on the disagreeing votes of the two Houses on the bill of the Senate (S. 161) for the admission of the State of Kansas into the Union.

On motion by Mr. Douglas, that the consideration of the report of the Committee of Conference, pending before the Senate, be postponed, for the purpose of considering the message from the House of Representatives and the accompanying bill (S. 161) for the admission of the State of Kansas into the Union,

It was determined in the negative.

After further debate,

On the question to agree to the report of the Committee of Conference to the Senate on the disagreeing votes of the two Houses on the said bill,

It was determined in the affirmative, } Yeas 31
 } Nays..... 22

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Davis, Evans, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Mason, that when the Senate adjourn it be to Monday next,

It was determined in the negative, } Yeas 21
 } Nays 30

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Broderick, Chandler, Clay, Crittenden, Dixon, Evans, Green, Hale, Hamlin, Hammond, Kennedy, King, Mason, Seward, Simmons, Thomson, of New Jersey, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Biggs, Bigler, Bright, Brown, Cameron, Collamer, Doolittle, Douglas, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Gwin, Harlan, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Pugh, Sebastian, Slidell, Stuart, Wright, Yulee.

The Senate proceeded to consider the amendments of the Senate to the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858, disagreed to by the House of Representatives, with the report of the Committee of Conference thereon.

On motion by Mr. Hunter, that the Senate *recede* from their first and second amendments to the said bill disagreed to by the House of Representatives,

It was determined in the affirmative, { Yeas 26
 Nays 21

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Allen, Bigler, Bright, Brown, Clay, Crittenden, Davis, Evans, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Biggs, Broderick, Chandler, Dixon, Doolittle, Douglas, Durkee, Foot, Foster, Hale, Harlan, Johnson, of Tennessee, King, Pugh, Seward, Simmons, Toombs, Trumbull, Wade.

So it was

Resolved, That the Senate recede from its first and second amendments to the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Slidell, that when the Senate adjourn it be to Monday next,

A motion was made by Mr. Houston that the Senate adjourn ; and
 It was determined in the negative.

The question recurring on the motion by Mr. Slidell, that when the Senate adjourn it be to Monday next,

It was determined in the affirmative, { Yeas 24
 Nays 20

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,
 Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Clay, Crittenden, Davis, Dixon, Evans, Fitzpatrick, Green, Hale, Hammond, King, Mason, Pugh, Sebastian, Seward, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wright.

Those who voted in the negative are,

Messrs. Biggs, Bright, Brown, Chandler, Collamer, Doolittle, Durkee, Fessenden, Foot, Foster, Harlan, Houston, Iverson, Johnson, of Tennessee, Jones, Mallory, Polk, Stuart, Wade, Yulee.

After the consideration of executive business,

The Senate adjourned.

MONDAY, MAY 3, 1858.

The honorable John C. Breckinridge, Vice President of the United States and President of the Senate, resumed the chair.

Mr. Seward presented a petition of Matthew Flausburg, a soldier in the war of the revolution, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Hale presented a petition of Joseph Humphries, praying that

the Secretary of the Navy may be authorized to test his patent "floating anchor or drag," for vessels to ride by in heavy gales of wind at sea, with a view to its adoption in the navy; which was referred to the Committee on Naval Affairs.

Mr. Hale presented a memorial of John Beeson, praying a warrant for lands on which he had settled in Oregon, and from which he was driven, and also indemnity for losses resulting from the same; which was referred to the Committee on Claims.

Mr. Foster, from the Committee on Pensions, to whom was referred the memorial of James McCutcheon, reported adversely thereon.

The Senate proceeded to consider the said report; and, in concurrence therewith,

Resolved, That the Committee on Pensions be discharged from the further consideration of the subject.

Mr. Harlan, from the Committee on Public Lands, to whom was referred the memorial of the legislature of Iowa, reported a joint resolution (S. 35) removing the restrictions upon a certain grant of five sections of land to the State of Iowa; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Kennedy asked and, by unanimous consent, obtained leave to bring in a bill (S. 304) to establish a line of mail steamships between certain ports in the United States and Great Britain; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Bright asked and, by unanimous consent, obtained leave to bring in a bill (S. 305) to complete the construction of military roads in the Territory of Washington; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Samuel H. Taylor, submitted a report, (No. 220,) accompanied by a bill (S. 306) for the relief of Samuel H. Taylor.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Hamlin asked and, by unanimous consent, obtained leave to bring in a bill (307) to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

Mr. Trumbull, from the Committee on Patents and the Patent Office, to whom was referred the memorial of M. C. Gritzner, submitted a report, (No. 221,) accompanied by a bill (S. 308) for the relief of M. C. Gritzner.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Harlan, from the Committee on Public Lands, to whom was referred the bill (S. 300) for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855, reported it without amendment.

Mr. Evans, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. Foot, the 26th January, in relation to the compensation of the first or principal messenger in the office of the Secretary of the Senate, reported it with an amendment.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the report of the Secretary of the Navy in answer to a resolution of the Senate for information in relation to the publication of the results of the United States naval exploring expedition to the North Pacific ocean and China seas, and also of the results of the United States naval expedition to the La Plata river, reported in favor of printing the same; and

The report was agreed to.

Mr. Gwin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia be, and they are hereby, instructed to inquire into the expediency of providing by law for the payment of such claims against the United States as have been favorably reported upon by the board of army officers, (appointed under the sixth section of the act approved August 31, 1852,) in their report to Congress dated December 5, 1854.

Mr. Jones reported from the committee that they presented to the President of the United States, the 1st instant, the bill (H. R. 359) for the relief of Duncan Robertson.

The Senate proceeded to consider the resolution submitted by Mr. Chandler, the 24th of April last, in relation to an appropriation for the completion of the channel over the St. Clair Flats, in the State of Michigan.

On motion by Mr. Clay, that the resolution lie on the table,

It was determined in the negative, { Yeas..... 19
Nays 22.

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Biggs, Bigler, Clay, Evans, Fitzpatrick, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mason, Pugh, Sebastian, Slidell, Toombs.

Those who voted in the negative are,

Messrs. Bell, Bright, Broderick, Chandler, Collamer, Crittenden, Doolittle, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Houston, Jones, King, Polk, Seward, Simmons, Stuart, Trumbull.

The resolution having been amended, on the motion of Mr. Chandler, by striking out the following words, "and that the appropriations be reduced to fifty-five thousand dollars,"

On motion by Mr. Slidell, that the resolution lie on the table,

It was determined in the negative, { Yeas..... 20
Nays 25

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Sebastian, Slidell, Toombs.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, Kennedy, King, Polk, Pugh, Seward, Simmons, Stuart, Trumbull, Wade.

The hour fixed for the consideration of the special order of the day having arrived,

On motion by Mr. Chandler, that the prior orders be postponed for the purpose of continuing the subject under consideration,

It was determined in the affirmative ; and

On motion by Mr. Benjamin, to amend the resolution, by striking out all after the word "*Resolved*," and inserting the following :

That the Committee on Commerce be instructed to inquire into, and report as speedily as possible, on the expediency of appropriations, at this session, for the repairs and security of the works heretofore commenced for the improvement of harbors and navigable rivers,

It was determined in the affirmative, { Yeas..... 23
Nays 22

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Evans, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Polk, Pugh, Sebastian, Slidell, Toombs.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, Kennedy, King, Seward, Simmons, Stuart, Trumbull, Wade.

No further amendment being made, the resolution was agreed to as follows :

Resolved, That the Committee on Commerce be instructed to inquire into, and report as speedily as possible, on the expediency of appropriations, at this session, for the repairs and security of the works heretofore commenced for the improvement of harbors and navigable rivers.

Mr. Brown reported from the committee that they had examined and found duly enrolled the following bills and joint resolution :

S. 36. An act to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States, in certain cases ;

S. 76. An act to incorporate Gonzaga College, in the city of Washington and District of Columbia ;

S. 97. An act to incorporate the Benevolent Christian Association of Washington city ;

S. 111. An act to alter the times of holding the circuit and district courts of the United States for the district of Vermont ;

S. 161. An act for the admission of the State of Kansas into the Union ;

S. 22. Joint resolution providing for the payment of certain expenses of holding the United States courts in the Territory of Utah ;

H. R. 306. An act to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, eighteen hundred and fifty-eight.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The Speaker of the House of Representatives having signed six enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bills and enrolled resolution last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Broderick submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of War be, and is hereby, requested to inform the Senate what contracts, if any, have been entered into by the department for the purchase of Lime Point, in California, for military purposes.

On motion by Mr. Hunter, that the consideration of the prior orders be postponed, for the purpose of considering the bill (H. R. 5) making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1859,

It was determined in the affirmative, { Yeas 24
Nays 11

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Brown, Clay, Crittenden, Dixon, Evans, Fitzpatrick, Foster, Green, Gwin, Hammond, Harlan, Houston, Hunter, Iverson, Kennedy, Mason, Polk, Sebastian, Slidell.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Doolittle, Durkee, Johnson, of Tennessee, King, Pugh, Seward, Stuart, Trumbull, Wade.

Whereupon,

The Senate proceeded to consider, as in Committee of the Whole, the said bill (H. R. 5) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1859 ; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas 26
Nays 9

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Biggs, Bigler, Bright, Brown, Cameron, Clay, Crittenden, Evans, Fessenden, Fitzpatrick, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mason, Polk, Sebastian, Slidell.

Those who voted in the negative are,

Messrs. Broderick, Durkee, Foot, Foster, Harlan, King, Pugh, Trumbull, Wade.

So it was,

Resolved, That the bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Jones reported from the committee that they had this day presented to the President of the United States the following enrolled bills and enrolled resolution :

S. 36. An act to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States in certain cases ;

S. 76. An act to incorporate Gonzaga College, in the city of Washington and District of Columbia ;

S. 97. An act to incorporate the Benevolent Christian Association of Washington city.

S. 111. An act to alter the times of holding the circuit and district courts of the United States for the district of Vermont ;

S. 161. An act for the admission of the State of Kansas into the Union ;

S. 22. A resolution providing for the payment of certain expenses of holding the United States courts in the Territory of Utah ;

H. R. 306. An act to supply deficiencies in the appropriations for the fiscal year ending the 30th of June, 1858.

Mr. Brown reported from the committee that they had examined and found duly enrolled the bill (H. R. C. C. 80) for the relief of Captain James Mc McIntosh, of the United States navy.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, MAY 4, 1858.

The following message was received from the President of the United State by Mr. Henry, his secretary:

To the Senate of the United States:

In compliance, with the resolution of the Senate of the 24th ultimo, I herewith transmit a report of the Secretary of State, with accompanying documents.

JAMES BUCHANAN.

WASHINGTON, *May* 1, 1858.

The message was read.

On motion by Mr. Mason,

Ordered, That it lie on the table.

On motion by Mr. Mason, that it be printed.

Orderd, That the motion be referred to the Committee on Printing.

Mr. Stuart presented a petition of citizens of Michigan, praying the construction of a wagon road from Saginaw City to some point near the northern extremity of the lower peninsula of Michigan, opposite Mackinac, and from Sault Ste. Marie to some point on the southern shore of the upper peninsula of Michigan, near to Mackinac; which was referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented a petition of Anton L. C. Portman, praying compensation for services as interpreter of the Japan expedition under Commodore Perry; which was referred to the Committee on Foreign Relations.

Mr. Kennedy presented a petition of Mary Jane Maltby, widow of the late Lieutenant James West, of the army of the United States, praying to be allowed a pension; which was referred to the Committee on Pensions.

The Vice President laid before the Senate reports of the Court of Claims, made in pursuance of law, adverse to the claim of John L. Warden; the claim of William B. Fitzgerald; the claim of Jonas P. Levy; the claim of John H. Waggaman; the claim of William Davenport; the claim of Charles Wilkes; the claim of John L. Wirt; and the claim of Logan Hunton.

Ordered, That they be referred to the Committee on Claims.

On motion by Mr. Jones,

Ordered, That the petition of Catharine Dickerson, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Jones,

Ordered, That the petition of Charles Vinson, on the files of the Senate, be referred to the Committee on Claims.

Mr. Jones, from the Committee on Pensions, to whom was referred the memorial of Thomas Watts, submitted an adverse report, (No. 222;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred

the petition of Charles Grampp, submitted an adverse report, (No. 223 ;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom were referred papers in support of the claim of Adam Sener, submitted an adverse report, (No. 224 ;) which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the petition of Francis D. Pons, submitted an adverse report, (No. 225 ;) which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred a paper signed by the democratic members of the legislature of the State of Ohio, submitted an adverse report, (No. 226 ;) which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom were referred the memorial of the legislature of Missouri, and the additional papers—presented 11th January last, in relation to the claim of Jervis M. Barker, reported adversely thereon.

Mr. King, from the Committee on Pensions, to whom were referred papers relating to the claim of James Baldwin, to a pension, reported adversely thereon.

Mr. King, from the Committee on Pensions, to whom was referred the petition of Harrison Sargent, reported adversely thereon.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the motion to print the memorial of the American Telegraph Company, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the motion to print the letter of the Secretary of State communicating a statement of the commercial relations of the United States with foreign nations, for the year ending September 30, 1857, reported in favor of printing the same ; and,

The report was agreed to.

Mr. Mason submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That on Monday next, the 10th instant, and thereafter, until the further order of the Senate, the hour for the daily meeting of the Senate shall be eleven o'clock a. m.

Mr. Brown submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That Saturday of this week be set apart for the consideration of business relating to the District of Columbia.

Mr. Benjamin submitted the following motion for consideration :

Ordered, That the Secretary be directed to request the Court of Claims to return to the Senate the bill and papers relating to the claim of Alexander J. Atocha.

Mr. Hale submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Naval Affairs be instructed to inquire into the causes that rendered it necessary to lay up and put out of commission the United States steam frigate Roanoke ; also whether any board of survey was ordered on said ship in August and September, 1857, or at any previous or subsequent period, and if so, who

composed said boards, and also, the reports of survey and inspection which may have been held on said ship at any time since her launch, either by boards or individuals; also, whether the Roanoke was injured in launching, and if so, to what extent, and also, whether any blame is justly attributable therefor to any one charged with the construction or launching of said ship, whether such injuries, if any there were, were made good before the ship was sent to sea, and at what cost, how many days she was actually at sea, with the state of the weather experienced, and what was found to be her actual condition as to sea-worthiness when finally taken into the dry dock at the Charlestown navy yard for repairs, together with the length of time required for and cost of said repairs; and also, whether the officers who sailed in said ship or any other officer of the navy, or any one in any way connected therewith, is in any degree responsible for the injuries to said ship; and also, the opinion of competent officers as to the ability of the Roanoke in her condition, at the time she went to sea, to encounter the gales prevalent in the West Indian and Caribbean seas.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of its President.

Mr. Jones reported from the committee that they had examined, and found duly enrolled the bill (H. R. 5) making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1859.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States this day approved and signed the following enrolled bills and joint resolution:

S. 76. An act to incorporate Gonzaga college, in the city of Washington and District of Columbia.

S. 161. An act for the admission of the State of Kansas into the Union.

S. 111. An act to alter the times for holding the circuit and district courts of the United States for the district of Vermont.

S. 97. An act to incorporate the Benevolent Christian Association of Washington city.

S. 36. An act to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States, in certain cases.

S. 22. A resolution providing for the payment of certain expenses of holding the United States courts in the Territory of Utah.

Mr. Green asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 36) explanatory of an act entitled "An act for the relief of George Chorpenning, jr.," approved March 3, 1857; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of J. B. Miller, submitted a report, (No. 227,) accompanied by a bill (S. 309) for the relief of John B. Miller.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bigler, from the Committee on Commerce, to whom was referred the joint resolution (H. R. 26) authorizing the arrangement and disposal of public buildings in the city of Philadelphia, reported it without amendment.

The Senate proceeded to consider the said joint resolution as in Committee of the Whole; and having been amended,

On motion by Mr. Brown,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 234) for the remission of fines, penalties, and forfeitures, reported it without amendment, and with the recommendation that it do not pass.

Mr. Bayard submitted a report (No. 228) on the subject; which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 257) concerning appeals and writs of error, reported it with an amendment.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the joint resolution (S. 10) directing the Secretary of the Interior to pay certain pension claims therein specified, and that it be referred to the Committee on Pensions.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 310) for the preservation of order and protection of persons and property in the District of Columbia; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

On motion by Mr. Benjamin,

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the bill (S. 169) in relation to conflicting land claims.

On motion by Mr. Benjamin,

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the bill (S. 251) in relation to conflicting land claims.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 279) for the final adjustment of private land claims in the States of Florida, Louisiana, Arkansas, and Missouri, and for other purposes, reported it without amendment.

Mr. Benjamin from the Committee on Private Land Claims, to whom was referred the bill (H. R. 209) for the relief of the representatives of William Smith, deceased, late of Louisiana, reported it without amendment.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 211) for the relief of the heirs

and legal representatives of Pierre Broussard, deceased, reported it without amendment.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 276) for the relief of Mrs. Ambroise Brou, of the parish of St. Charles, in the State of Louisiana, reported it without amendment, and submitted a report, (No. 229;) which was ordered to be printed.

The Senate resumed, as in Committee of the Whole, the joint resolution (S. 28) for the adjustment of differences with the republic of Paraguay.

On the motion of Mr. Collamer to amend the resolution, line 8, after "measures," strike out "and use such force,"

It was determined in the affirmative, { Yeas 21
Nays 19 .

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Broderick, Chandler, Collamer, Crittenden, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mallory, Seward, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Dixon, Douglas, Evans, Fitzpatrick, Green, Houston, Hunter, Iverson, Mason, Polk, Sebastian, Simmons, Slidell, Toombs.

On motion by Mr. Mason,

Ordered, That the resolution lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 300) for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 5,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the two enrolled bills last reported to have been examined, (H. R. 5 and H. R. C. C. 80,) and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 10) repealing all laws or parts of laws allowing bounties to vessels employed in the Bank or other cod fisheries; and,

After debate,

On motion by Mr. Hamlin,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, to-morrow, at one o'clock.

Mr. Pugh asked and, by unanimous consent, obtained leave to bring in a bill (S. 311) to supply vacancies in certain offices; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

On motion by Mr. Johnson, of Arkansas, that the Senate proceed to the consideration of the bill (S. 218) amendatory of the act entitled "An act to provide for the execution of the public printing, and establishing the prices thereof, and for other purposes," approved August 26, 1852,

It was determined in the affirmative, { Yeas 27
Nays 18

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Brown, Clay, Crittenden, Evans, Fitzpatrick, Hamlin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Collamer, Dixon, Doclittle, Douglas, Durkee, Fessenden, Foot, Foster, Green, Gwin, Harlan, King, Pugh, Seward, Simmons, Stuart.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 218) amendatory of the act entitled "An act to provide for executing the public printing, and establishing the prices thereof, and for other purposes," approved August 26, 1852; and, having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Stuart,

The Senate adjourned.

WEDNESDAY, MAY 5, 1858.

The Vice President laid before the Senate a letter of the honorable Asa Biggs, enclosing a copy of a letter addressed by him to the governor of the State of North Carolina, resigning the office of senator of the United States from that State; which was read.

Mr. Foster presented a petition of citizens of New London county, Connecticut, praying that a grant of land be made to each State in

the Union to endow therein an industrial university; which was referred to the Committee on Public Lands.

Mr. Mallory presented a petition of R. S. Simpson, assistant surgeon in the army, praying compensation for professional services in the United States marine hospital at Key West; which was referred to the Committee on Military Affairs and the Militia.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred a petition of citizens of the District of Columbia, praying that an appropriation may be made for improving Boundary street, Washington city, reported adversely thereon.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of a petition of citizens of Maine, six petitions of citizens of New York, a petition of citizens of Massachusetts, a petition of citizens of Canajoharie, New York, a petition of citizens of Iowa, a petition of citizens of Corning, New York, three petitions of citizens of Michigan, and two resolutions of the Senate on the subject of "a uniform bankrupt law."

Mr. Fitzpatrick, from the Committee on Military Affairs and the Militia, to whom were referred seven petitions of officers of the militia of the State of Rhode Island, submitted an adverse report.

Mr. King, from the Committee on Pensions, to whom was referred the petition of Frances Cato, widow of Burrell Cato, reported adversely thereon.

Mr. King, from the Committee on Pensions, to whom was referred the petition of Edward Merritt, reported adversely thereon.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Daniel J. Browne, submitted an adverse report, (No. 230;) which was ordered to be printed.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the report of the Court of Claims adverse to the claim of Jonas P. Levy, and that it be referred to the Committee on Foreign Relations.

Mr. Benjamin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to inform the Senate if any, and what measures have been taken for the protection of American commerce in the ports of Mexico during the present distracted condition of that country, and especially whether any, and what measures have been taken for obtaining redress for the recent outrages on American vessels committed in the port of Tampico, and for protecting such vessels against a repetition of such outrages.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills:

H. R. 5. An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1859;

H. R. C. C. 80. An act for the relief of Captain James Mc. McIntosh of the United States navy.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agree to the amendments of the Senate to the amendments of the House of Representatives to the joint resolution (S. 4) to extend the operation of the act approved January 1st, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy.'"

On motion by Mr. Hunter,

Ordered, That a member be appointed to fill the vacancy in the Committee on Finance, occasioned by the resignation of the honorable Asa Biggs, and that the appointment be made by the Vice President; and

Mr. Hammond was appointed.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 542) to authorize the vestry of Washington parish to take and enclose certain parts of streets in Washington city for the purpose of extending the Washington cemetery, and for other purposes, reported it without amendment.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the petition of citizens of Washington county, in the District of Columbia, reported a bill (S. 316) to alter and amend an act entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia," approved 1st July, 1812; which was read and passed to a second reading.

Mr. Bayard, from the Committee on the Judiciary, to whom the subject was referred, reported a bill (S. 312) to provide for the collection and safe keeping of public archives in the State of California.

The bill was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Bayard, from the Committee on the Judiciary, to whom the subject was referred, reported a bill (S. 313) to amend the act entitled "An act to ascertain and settle the private land claims in the State of California."

The bill was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The bill was read a third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Bayard, from the Committee on the Judiciary, to whom the

subject was referred, reported a bill (S. 314) for the prevention and punishment of frauds in land titles in California.

The bill was read a first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred so much of the message of the President of the United States as relates to the enactment of a uniform bankrupt law, stated that the committee were unable to agree as to the details of a bill to establish a uniform system of bankruptcy; and moved that the committee be discharged from the further consideration of the subject.

Mr. Toombs, on behalf of the minority of the committee, submitted a paper purporting to be a bill to establish a uniform law on the subject of bankruptcies throughout the United States, and moved that the same be printed.

A question of order was raised by Mr. Green, on the ground that the minority of a committee had no power to originate or bring in a bill.

The Vice President stated that it had been usual to receive the views of a minority of a committee.

Mr. Benjamin thereupon asked and, by unanimous consent, obtained leave to bring in a bill (S. 315) to establish a uniform law on the subject of bankruptcies throughout the United States; which was read the first and second times, by unanimous consent.

Ordered, That it be printed, and that one thousand additional copies be printed for the use of the Senate.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 62) making appropriations for the support of the Military Academy for the year ending the 30th of June, 1859, reported it with an amendment.

The Senate proceeded to consider, as in Committee of the Whole, the said bill, (H. R. 62;) and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read the third time.

On the question, "Shall the bill pass?"

It was determined in the affirmative, { Yeas 32
Nays 9

On motion of Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clay, Colamer, Crittenden, Dixon, Douglas, Evans, Fessenden, Fitzpatrick, Foot, Foster, Green, Gwin, Hamlin, Hammond, Houston, Hunter,

Jones, Mallory, Mason, Sebastian, Seward, Simmons, Slidell, Stuart, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Doolittle, Durkee, Hale, Harlan, Johnson, of Tennessee, Pugh, Trumbull, Wade.

So it was,

Resolved, That the bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Hale, that the consideration of the prior orders be postponed for the purpose of considering the joint resolution (S. 32) for the benefit of the widow of Commander William Lewis Herndon, United States navy,

It was determined in the affirmative.

The Senate proceeded to consider, as in Committee of the Whole, the said joint resolution (S. 32) for the benefit of the widow of Commander William Lewis Herndon, United States navy; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

On the question, "Shall the joint resolution pass?"

It was determined in the affirmative, { Yeas..... 32
Nays 8

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Broderick, Brown, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Houston, Jones, Mallory, Mason, Polk, Pugh, Seward, Simmons, Stuart, Wade, Wilson.

Those who voted in the negative are,

Messrs. Clay, Green, Hunter, Iverson, Johnson, of Tennessee, King, Slidell, Toombs.

So it was,

Resolved, That the joint resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Bayard,

Resolved, That the vote ordering the joint resolution (S. 28) for the adjustment of differences with the republic of Paraguay to lie on the table be reconsidered.

Whereupon

The Senate resumed, as in Committee of the Whole, the consideration of the said joint resolution, (S. 28;) and,

On motion by Mr. Bayard, that the vote on agreeing to the following amendment be reconsidered, viz:

In line eight strike out the words "and use such force,"

It was determined in the affirmative.

On the question to agree to the said amendment,

It was determined in the negative, { Yeas 15
Nays 25

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Collamer, Crittenden, Doolittle, Durkee, Fessenden, Foot, Hale, Johnson, of Tennessee, Mallory, Seward, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clay, Dixon, Douglas, Evans, Foster, Green, Gwin, Hammond, Harlan, Houston, Iverson, Jones, Mason, Polk, Pugh, Sebastian, Simmons, Slidell, Toombs.

No further amendment being proposed, the joint resolution was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding; and,

On motion by Mr. Stuart,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Toombs, that he be excused from further service on the Committee on the Judiciary,

Ordered, That the consideration thereof be postponed until to-morrow.

The bill (S. 239) for the admission of Oregon into the Union was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Trumbull, that the further consideration thereof be postponed until the first Monday in December next,

After debate,

On motion by Mr. Douglas,

The Senate adjourned.

THURSDAY, MAY 6, 1858.

Mr. Seward presented a petition of Dorcas Hall, praying to be allowed a pension and bounty land, as the widow of Simeon Reno, a sergeant in the revolutionary war; which was referred to the Committee on Pensions.

Mr. Gwin presented a memorial of McKean Buchanan, a purser in the navy, praying indemnity for losses occasioned by the illegal orders of his commanding officer; which was referred to the Committee on Naval Affairs.

Mr. Jones presented a petition of citizens of Butler county, Iowa, praying the establishment of a mail route, with weekly service, from Cedar Falls, in Black Hawk county, via Willoughby, in Butler county, to Leoni, the county seat of Butler county; which was referred to the Committee on Post Offices and Post Roads.

Mr. Simmons presented a petition of John R. Bartlett, praying the payment of certain expenditures made by him as commissioner of the United States under the treaty of Guadalupe Hidalgo, for running and marking the boundary line between the United States and Mexico; which was referred to the Committee on Claims.

Mr. Stuart presented papers relating to the application of Thomas L. Disharoon to locate certain warrants on any of the public lands subject to private sale; which were referred to the Committee on Public Lands.

Mr. King presented a petition of business men of the northwestern lakes, praying that an appropriation may be made to ascertain whether Professor Ballot's rule by which the approach of storms may be foretold is applicable to the lakes; which was referred to the Committee on Naval Affairs.

Mr. Wade presented a petition of business men of the northwestern lakes, praying that an appropriation may be made to ascertain whether Professor Ballot's rule by which the approach of storms may be foretold is applicable to the western lakes; which was referred to the Committee on Commerce.

Mr. Wilson presented a petition of citizens of Malden, Massachusetts, praying that the public lands may be laid out in farms or lots of limited size, for the free and exclusive use of actual settlers.

Ordered. That it lie on the table.

Mr. Wilson presented a petition of inhabitants of the town of Duxbury, Massachusetts, engaged and interested in the cod and haddock fisheries on the coast of Massachusetts, praying that some provision be made by law so regulating the mode of taking said fish as to prevent the destruction of those fisheries; which was referred to the Committee on Commerce.

Mr. Benjamin presented a petition of the heirs and legal representatives of James Johnson, praying the confirmation of their title to certain land; which was referred to the Committee on Private Land Claims.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the motion to print the message of the President of the United States, in answer to a resolution of the Senate, concerning the outrages lately committed against the family of Mr. Dickson, an American citizen, residing at Jaffa, in Palestine, reported in favor of printing the same; and

The report was agreed to.

Mr. Clay, from the Committee on Commerce, to whom was referred a memorial of Douglass Ottinger, of the United States revenue service, reported adversely thereon.

Mr. Bigler, from the Committee on Commerce, to whom was referred a petition of the president and stockholders of "The Florida Steam Packet Company," asking compensation for the seizure and detention

of the steamer "Carolina" by the collector at the port of Jacksonville, submitted an adverse report, (No. 233 ;) which was ordered to be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred a memorial of John Frink, submitted an adverse report, (No. 231 ;) which was ordered to be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred a petition of S. Van Sickle, J. R. Bellerjeau, and George C. Leidy, submitted an adverse report, (No. 232 ;) which was ordered to be printed.

Mr. Iverson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of the Navy be requested to inform the Senate what measures have been taken by the department to execute the act of the 28th January, 1857, "authorizing the establishment of a naval depot on Blythe Island, at Brunswick, Georgia ;" what steps, if any, the department proposes to adopt in the prosecution of said work, and at what time it is intended to commence and go on with the same, and the reasons why the commencement of the necessary works has not been made.

The Senate proceeded to consider the motion by Mr. Toombs, of the 5th instant, that he be excused from further service on the Committee on the Judiciary ; and

The motion was agreed to.

On motion by Mr. Broderick,

The Senate proceeded to consider the resolution submitted by Mr. Broderick the 21st April last, in relation to the amount collected at the post office at San Francisco, California, for box rents from July 1, 1854, to December 31, 1857 ; and, an amendment having been proposed,

On motion by Mr. Broderick,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 2) donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, reported it without amendment.

Mr. Polk asked and, by unanimous consent, obtained leave to bring in a bill (S. 317) for the relief of Thomas L. Disharoon ; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Polk asked and, by unanimous consent, obtained leave to bring in a bill (S. 318) for the relief of Keep, Bard and Company, J. Caulfield, and Joseph Landis and Company ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Hamlin, from the Committee on Commerce, to whom was referred the bill (S. 307) to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes, reported it with an amendment.

The Senate proceeded to consider, as in Committee of the Whole,

the said bill; and the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Bright, from the Committee on Public Buildings and Grounds, to whom the subject was referred, reported a bill (S. 319) to enlarge the public grounds surrounding the Capitol; which was read and passed to a second reading.

The bill (S. 189) for the relief of Rufus Dwinel was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Douglas, from the Committee on Territories, to whom was referred the bill (H. R. 152) to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas, reported it with an amendment.

Mr. Simmons asked and, by unanimous consent, obtained leave to bring in a bill (S. 320) to prevent the continuance of frauds upon the revenue by the under valuation of foreign imports; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and,

On motion by Mr. Simmons,

Ordered, That the further consideration thereof be postponed until to-morrow, and that the bill be printed.

A message from the House of Representatives by Mr. Allen its Clerk:

Mr. President: I am directed by the House of Representatives to request the return from the Senate of the resolution (S. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy.'"

On motion by Mr. Hunter,

Ordered, That the Secretary return the said resolution (S. 4) to the House of Representatives.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 239) for the admission of Oregon into the Union; and,

On motion by Mr. Hunter,

Ordered, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the amend-

ments of the Senate to the amendment of the House to the joint resolution (S. R. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " with an amendment, in which it request the concurrence of the Senate.

The Senate resumed, as in Committee of the whole, the consideration of the bill (S. 10) repealing all laws or parts of laws allowing bounties to vessels employed in the bank or other cod fisheries ; and,

After debate, and the consideration of executive business,

The Senate adjourned.

FRIDAY, MAY 7, 1858.

Mr. Mason presented the credentials of the honorable Thomas L. Clingman, appointed a senator by the executive of the State of North Carolina, to fill the vacancy occasioned by the resignation of the honorable Asa Biggs, "to hold a seat in the Senate of the United States until the next meeting of the legislature of said State," which were read ; and the oath prescribed by law being administered to Mr. Clingman, he took his seat in the Senate.

On motion by Mr. Fitzpatrick,

The Senate adjourned.

SATURDAY, MAY 8, 1858

Mr. Hammond announced the death of the honorable Josiah J. Evans, late a senator from the State of South Carolina, which took place at his lodgings in this city the 6th instant, and submitted the following resolutions ; which were considered, by unanimous consent, and agreed to :

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect to the memory of the honorable Josiah J. Evans, deceased, late a senator from the State of South Carolina, will go into mourning for the residue of the present session, by the usual mode of wearing crape on the left arm.

Resolved, unanimously, That the Senate will attend the funeral of the deceased from the Senate chamber at two o'clock to-day, and that the committee of arrangements, consisting of Messrs. Hunter, Bigler, Foster, Toombs, Brown, and Bright, superintend the same.

Ordered, That the Secretary communicate these proceedings to the House of Representatives.

On motion by Mr. Hunter, and, by unanimous consent,

Resolved, That the Senate take a recess until two o'clock.

TWO O'CLOCK P. M.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The House of Representatives had passed a resolution that the House will, as a body, repair to the Senate chamber to attend the funeral of the honorable Josiah J. Evans.

The Senate, having attended the funeral of the honorable Josiah J. Evans, returned to its chamber.

Mr. Hammond submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Vice President be requested to communicate to the executive of the State of South Carolina information of the death of the honorable Josiah J. Evans, late a senator from said State.

On motion by Mr. Iverson,
The Senate adjourned.

MONDAY, MAY 10, 1858.

Mr. Seward presented a memorial of Daniel F. Tiemann and others, in relation to a plan for the sanitary improvement of the city of New York; which was referred to the Committee on Commerce.

Mr. Seward presented papers in support of the claim of Deborah Burlingham, a daughter of James Dennison, an officer of the revolutionary war, to a pension; which were referred to the Committee on Pensions.

Mr. Seward presented papers in support of the claim of J. M. Pommares, acting consul at Vera Cruz, in Mexico, for the return of money advanced to aid in the transportation of destitute American citizens to New Orleans, who were left at Vera Cruz by the American army; which were referred to the Committee on Military Affairs and the Militia.

Mr. Seward presented a petition of Haym M. Salomon, praying indemnity for losses sustained in consequence of the advances made by his father, without security, to carry on the war of the revolution, by which a large and entire estate was lost to his children; which was referred to the Committee on Revolutionary Claims.

Mr. Foot presented a petition of citizens of that portion of Georgetown, District of Columbia, known as the "Heights," praying to be set apart from the corporate limits of said town, and to be removed from the operation of its municipal laws; which was referred to the Committee on the District of Columbia.

Mr. Wilson presented additional documents in relation to the claims of Maine and Massachusetts, under the treaty of Washington; which were referred to the Committee on Foreign Relations.

Mr. Chandler presented a petition of business men of the north-western lakes, praying an appropriation for the purpose of ascertaining whether Professor Ballot's rule, by which the approach of storms

may be foretold, is applicable to the lakes ; which was referred to the Committee on Commerce.

Mr. Doolittle presented resolutions of the legislature of Wisconsin, in favor of a donation of land to aid in the construction of a ship canal around the Falls of Niagara ; which were referred to the Committee on Public lands and ordered to be printed.

Mr. Doolittle presented a memorial of the legislature of Wisconsin, praying a grant of land to aid in the construction of the Mineral Point and Portage City railroad ; which was referred to the Committee on Public Lands and ordered to be printed.

Mr. Hamlin presented a petition of Abel Hildreth, praying an appropriation to enable him to set up and attach to the bell at White Head a simple apparatus, invented and patented by him, for keeping up a continual alarm by the operation of the rise and fall of the tides ; which was referred to the Committee on Commerce.

Mr. Bell presented a petition of J. F. Deaderick, praying compensation for a wagon and team furnished by his father, David Deaderick, for the transportation of provisions, &c., during the war of 1812 ; which was referred to the Committee on Claims.

Mr. Sebastian presented a memorial of H. R. Schoolcraft, praying compensation for the collection of the facts and materials embodied in the history, statistics, condition and prospects of the Indian tribes of the United States, prepared and published by him ; which was referred to the Committee on Indian Affairs.

Mr. Houston presented a memorial of the Swan Creek and Black River Chippewa Indians, praying additional compensation for lands ceded to the United States under the treaty of May 9, 1836 ; which was referred to the Committee on Indian Affairs.

Mr. Brown presented a petition of a committee of residents of the southern end of New Jersey avenue, in the city of Washington, praying an appropriation for widening the bridge over the canal at the intersection of Virginia avenue with New Jersey avenue, and the extension of gas lights on New Jersey avenue ; which was referred to the Committee on the District of Columbia.

Mr. Davis submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of War be requested to communicate to the Senate the reports of the officers sent to Europe in 1855 to collect information in relation to military affairs, so far as they have not been heretofore communicated to the Senate ; and that he also communicate his views as to the necessity of publishing said reports for the use of the army and militia, and, if the publication be desirable, the number of copies that would be required for the above purposes.

Mr. Davis submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Printing be instructed to inquire and report what difference, if any, has been found to exist in the printing and binding (including the quality of paper, style of printing, cost, &c.,) for the several departments of the government, since the control of such work was transferred from the heads of departments to the Superintendent of Public Printing.

Mr. Hunter submitted the following resolution ; which was considered by unanimous consent, and agreed to :

Resolved, That the expenses of the transportation of the remains of the late honorable Josiah J. Evans to South Carolina, and of the officers of the Senate accompanying them, be paid out of the contingent fund of the Senate, under the direction of the committee of arrangements.

Mr. Broderick submitted the following resolution for consideration :

Whereas there has been charged to the government, up to quite recently, the sum of eighteen thousand dollars per annum for the rent of the building occupied as a post office at San Francisco ; and whereas large sums of money have been realized from the rent of the lobby of said post office, which sums it is generally reported amounted to some seven thousand dollars per annum ; and whereas postmasters are required by law to make return, under oath, of all sums by them collected, and are prohibited from retaining in the aggregate more than four thousand dollars per year, "including salary, commissions, boxes, and all other fees, perquisites, and emoluments of any name or character whatever" —

Resolved, That the Postmaster General be requested to inform the Senate whether any sums, and, if so, what sums, have been returned by the postmaster at San Francisco as rents received for the use of the post office lobby from July 1, 1854, to December 31, 1857.

And whereas there was placed on the files of the Post Office Department in April, 1857, specific charges, duly sworn to, of malfeasance in office, of neglect of official duty, and of violations not only of the laws, but also of the regulations of the Post Office Department, on the part of the postmaster of San Francisco, which said charges are substantiated by the sworn testimony of some thirty to forty witnesses, a copy of the leading features of which testimony was also placed on file at the same time ; and whereas, in February last, other evidence, duly sworn to, charging the San Francisco postmaster with other acts of malfeasance in office, was placed upon the files of the Post Office Department ; and whereas, the law, which is mandatory, says : "The Postmaster General *shall* prosecute offences against the Post Office establishment : " Therefore—

Resolved, That the Postmaster General be directed to furnish the Senate with a statement showing the nature of the charges preferred against the postmaster of San Francisco, and the specific sections of the law which it is alleged he has violated, and showing, also, what action, if any, has been taken in regard to said charges ; and in case no action has been taken, that the Postmaster General inform the Senate why the law has not been complied with and why prosecution has not been made.

Mr. Green submitted the following resolution for consideration :

Resolved, That the Secretary of the Senate be directed to pay to the employés of the Senate who did not receive the same at the last session of Congress the same compensation, respectively, that was allowed to the employés of the House of Representatives by a resolution of the House of Representatives of 2d March, 1857.

Mr. Mallory submitted the following resolution for consideration :

Resolved, That the Secretary of the Navy be requested to furnish

to the Senate the result of the recent exploration, under the command of Lieutenant T. A. Craven, of the United States navy, as to the practicability of interoceanic communication from the Gulf of Darien to the Pacific ocean by the Atrato and Truando rivers.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the memorial of Walter James.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the petition of citizens of Barnstable county, Massachusetts, and that it be referred to the Committee on Pensions.

Agreeably to notice, Mr. Chandler asked and obtained leave to bring in a bill (S. 321) making an appropriation for deepening the channel over the St. Clair Flats, in the State of Michigan; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and

On motion by Mr. Chandler,

Ordered, That the bill lie on the table.

Mr. Jones asked and, by unanimous consent, obtained leave to bring in a bill (S. 322) for the relief of purchasers of public land within the timber reserve opposite Fort Kearney and for the settlers within the Winnebago agency reservation, the Fort Atkinson reservation, and the timber reserve opposite Fort Crawford, all in the State of Iowa; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

A message from the House of Representatives by Mr. Allen, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending 30th June, 1859; in which they request the concurrence of the Senate.

The bill (H. R. 201) last mentioned, was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Sebastian asked and, by unanimous consent, obtained leave to bring in a bill (S. 323) to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Richard W. Clarke, submitted a report, (No. 234,) accompanied by a bill (S. 324) for the relief of R. W. Clarke.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Mrs. Ann P. Derrick, submitted a report, (No. 235,) accompanied by a bill (S. 325) for the relief of Mrs. Ann P. Derrick, widow of W. S. Derrick, deceased.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 47) confirming the location of land warrants under certain circumstances; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The Senate proceeded to consider the amendment of the House of Representatives to the amendment of the Senate to the amendment of the House of Representatives to the joint resolution (S. 4) to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy;' " and

On motion by Mr. Hale,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills and joint resolutions of the Senate:

S. 286. An act to enlarge the Detroit and Saginaw land districts, in Michigan;

S. 296. An act amendatory of an act entitled, "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856;

S. 30. A resolution to extend for a further term the provisions of the joint resolution approved March 10, 1858, in relation to certain dropped and retired officers of the navy;

S. 33. A resolution authorizing suitable acknowledgments to be made by the President to the British naval authorities at Jamaica, for the relief extended to the officers and crew of the United States ship *Susquehanna*, disabled by yellow fever.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bill and resolution:

H. R. 62. An act making appropriations for the support of the Military Academy for the year ending the 30th June, 1859;

S. 4. A resolution to extend the operation of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy.' "

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The House of Representatives has passed the following bills of the Senate:

S. 300. An act for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855;

S. 307. An act to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes;

S. 313. An act to amend the act entitled "An act to ascertain and settle the private land claims in the State of California," passed March 3, 1851.

The House of Representatives agrees to the amendment of the Senate to the bill (H. R. 62) making appropriations for the support of the Military Academy for the year ending June 30, 1859.

It has passed a bill (H. R. 300) declaring the title to land warrants in certain cases; in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill and an enrolled resolution, I am directed to bring them to the Senate for the signature of its President.

On motion by Mr. Yulee,

Ordered, That a member be appointed to fill the vacancy in the Committee on Patents and the Patent Office, occasioned by the death of the honorable Josiah J. Evans, and that the appointment be made by the Vice President; and Mr. Thomson, of New Jersey, was appointed.

On motion by Mr. Seward,

Ordered, That William M. Ellis have leave to withdraw his petition and papers.

On motion by Mr. Wilson, that the Secretary be directed to request the Court of Claims to return to the Senate the papers relating to the claim of Michael Hanson,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider as in Committee of the Whole, the bill (S. 222) for the relief of Jeremiah Moors.

On motion by Mr. Toombs, that the bill be referred to the Court of Claims,

It was determined in the negative, { Yeas..... 13
Nays 27

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Clay, Davis, Fitzpatrick, Green, Hammond, Hunter, Iver-son, Mason, Pearce, Pugh, Slidell, Thomson, of New Jersey, Toombs.

Those who voted in the negative are.

Messrs. Allen, Broderick, Brown, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Sebastian, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

The bill having been amended was reported to the Senate, and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the resolution

(S. R. 7) directing the presentation of a medal to Commodore Hiram Paulding.

On motion by Mr. Clay,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Vice President submitted, for the decision of the Senate, whether, the time of daily meeting of the Senate being recently fixed at 11 o'clock, the special order of the day should be called one hour after the meeting of the Senate or at 1 o'clock ; and

The Senate decided that the special orders be called one hour after the daily meeting of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 10) repealing all laws allowing bounties to vessels engaged in the bank or other cod fisheries ; and

After debate,

On motion by Mr. Green,

Ordered, That the further consideration thereof be postponed to 12 o'clock to-morrow, and that it be the special order of the day.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, MAY 11, 1858.

The Vice President signed the enrolled bill (H. R. 62) and the enrolled resolution (S. 4) yesterday reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. King presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots of limited size for the free and exclusive use of actual settlers ; which was referred to the Committee on Public Lands.

Mr. Bell presented a petition of E. T. Peyton, praying compensation for performing the duties of secretary of legation in Chile ; which was referred to the Committee on Foreign Relations.

Mr. Bigler presented a memorial of William Fleming, in behalf of himself and others of the " Marine Artillery," who served in the war of 1812, praying Congress to allow them pensions for said service ; which was referred to the Committee on Pensions.

Mr. Bigler presented two petitions of citizens of Schuylkill county, Pennsylvania, praying protection to American labor engaged in the manufacture of iron ; which was referred to the Committee on Finance.

Mr. Jones presented a petition of J. W. Denison, praying the establishment of a mail route from Toledo, in the State of Iowa, to Decatur, in the Territory of Nebraska ; which was referred to the Committee on Post Offices and Post Roads.

Mr. Benjamin presented a petition of Noah H. Phelps, remonstrating against the confirmation of the title to a certain tract of land to the

heirs of Pierre Broussard, contemplated by bill No. 211 of the House of Representatives; which was referred to the Committee on Private Land Claims.

Mr. Benjamin presented a petition of Henry M. Fleury, praying the enactment of a law authorizing him to prosecute his claim against the United States to a certain tract of land; which was referred to the Committee on Private Land Claims.

Mr. Pearce presented a petition of citizens of Kent county, Maryland, praying the establishment of a mail route from Smyrna, in Delaware, to Chestertown, Maryland; which was referred to the Committee on Post Offices and Post Roads.

Mr. Mallory presented a petition of officers of the navy attached to Pacific and home squadrons, praying that the pay of the officers of the navy may be increased; which was referred to the Committee on Naval Affairs.

Mr. Mallory presented a memorial of Captain R. B. Cunningham, of the navy of the United States, praying that the pay of the officers of the navy may be increased; which was referred to the Committee on Naval Affairs.

Mr. Brown presented a memorial of citizens of the city of Washington, praying that provision may be made for the erection of a new jail for the District of Columbia, in a more suitable locality; which was referred to the Committee on the District of Columbia.

Mr. Pearce presented a memorial of the board of managers of the Maryland Institute for the Promotion of the Mechanic Arts, urging the passage of a bill for the distribution of a portion of the public lands among the States for the purpose of endowing colleges for the education of the industrial classes.

Ordered, That it lie on the table.

Mr. Polk presented three petitions of citizens of Missouri, praying that the land office at St. Louis may be continued, and that the land offices about to be closed under authority of law may be consolidated at St. Louis; which were referred to the Committee on Public Lands.

Mr. Seward presented a memorial of merchants of New York, relative to the compensation of the New York and Havre Steamship Company, for the transportation of the mails between New York and Havre, via Southampton, during the year ending June 1, 1859; which was referred to the Committee on Post Offices and Post Roads.

Mr. Crittenden presented a petition of Mrs. Jane Turnbull, widow of Colonel W. Turnbull, United States topographical engineers, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Hunter submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Indian Affairs be instructed to inquire into the expediency of transferring the jurisdiction over Indian affairs from the Department of the Interior to that of War.

Mr. Hale submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the propriety and expediency of paying the officers of

the army a gross sum in full for all their compensation, instead of the allowances and commutations at present allowed them.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be requested to communicate to the Senate what amount, if any, of the fund set apart by the 15th article of the treaty of Guadalupe Hidalgo, for the payment of the claims of the citizens of the United States against the government of Mexico, remains unexpended.

Mr. Iverson submitted the following resolution for consideration:

Resolved, That after to-day, and for the remainder of the session, the special order shall not be taken up until the hour of one o'clock, unless otherwise ordered by the Senate.

Mr. Iverson submitted the following resolution for consideration:

Resolved, That the Committee on Naval Affairs be directed to report an amendment to be added to the naval appropriation bill, when the same shall be considered by the Senate, providing that those officers of the navy who were dismissed or furloughed by the late "retiring board" of naval officers, and who have subsequently or may hereafter be restored by the action of the President and Senate to the furlough or leave of absence list, or who have been or shall be raised from the furlough to the leave of absence list, shall be entitled and receive the pay of the grade or position to which they shall have been promoted from the time of their retirement to the date of their promotion, deducting any amounts which they may have received as salary during their retirement as aforesaid.

The Senate proceeded to consider the resolution submitted by Mr. Foot, the 26th of January last, in relation to the compensation of the first or principal messenger in the office of the Secretary of the Senate, together with the amendment reported thereto from the Committee to Audit and Control the Contingent Expenses of the Senate; and, the reported amendment having been concurred in, the resolution was agreed to as follows:

Resolved, That W. H. Rohrer be paid the same compensation as is allowed to the other messenger in the office of the Secretary of the Senate, viz: one thousand and eighty dollars per annum, to commence with the beginning of the present fiscal year.

The Senate proceeded to consider the resolution submitted by Mr. Mallory, the 10th instant, in relation to the report of Lieutenant T. A. Craven, as to the practicability of interoceanic communication from the Gulf of Darien to the Pacific ocean by the Atrato and Truando rivers; and

The resolution was agreed to.

On motion by Mr. Dixon,

Ordered, That the vacancy in the Committee to Audit and Control the Contingent Expenses of the Senate, occasioned by the death of the honorable Josiah J. Evans, be filled by the Vice President.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of Bowne & Curry, submitted an adverse report, (No. 242;) which was ordered to be printed.

Mr. Clay, from the Committee on Commerce, to whom was referred

the memorial of Beverly Diggs, submitted an adverse report, (No. 243;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom were referred a petition of Hannah Thompson, a petition of Sarah M. Smead, a petition of Louisa Merrill, a petition of Elizabeth Monroe, a petition of Mary Walsh and others, and a memorial of Catherine Denney, reported—

That the committee be discharged from the further consideration of the same.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Joseph Haynes, submitted an adverse report, (No. 241;) which was ordered to be printed.

Mr. King, from the Committee on Pensions, to whom were referred documents relating to the claim of Rachel Morey for a pension, reported adversely thereon, and that the committee be discharged from the further consideration of the same.

Mr. Brown submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That Saturday of this week be set apart for the consideration of business relating to the District of Columbia.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the bill (S. 6) to continue the pension heretofore granted to Katharine M. Hamer.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of Catherine Dickerson, and the resolution of the legislature of Iowa, in relation to the pension of Catherine Dickerson, submitted a report, (No. 236,) accompanied by a bill (S. 326) for the relief Catherine Dickerson.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Benjamin asked and, by unanimous consent, obtained leave to bring in a bill (S. 327) to affirm certain entries of land in the State of Louisiana; which was read the first and second times, by unanimous consent, and referred to the Committee on Private Land Claims.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 100) to revive an act entitled "An act for the relief of the heirs, or their legal representatives, of William Conway, deceased," reported it without amendment.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the additional papers in relation to the claim of Captain John Pickell, submitted a report, (No. 237,) accompanied by a bill (S. 328) for the relief of John Pickell, late a lieutenant in the United States army.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 329) to authorize augmented rates for surveying the public lands in the Territory of Washington; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Polk, from the Committee on Claims, to whom was referred the petition of Stephen R. Rowan, submitted a report, (No. 238,) accompanied by a bill (S. 330) for the relief of Stephen R. Rowan.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of P. S. Duval & Co., submitted a report, (No. 239,) accompanied by a bill (S. 331) for the relief of P. S. Duval & Company.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Seward, from the Committee on Foreign Relations, to whom was referred the petition of Anton L. C. Portman, submitted a report, (No. 240,) accompanied by a bill (S. 332) for the relief of Anton L. C. Portman.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay, from the Committee on Commerce, to whom was referred the joint resolution (S. 31) authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select, reported it without amendment.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (H. R. 26) authorizing the arrangement and disposal of public buildings in the city of Philadelphia; and

On motion by Mr. Bigler,

Ordered, That it be referred to the Committee on Post Offices and Post Roads.

The bill (H. R. 300) declaring the title to land warrants in certain cases was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 279) for the final adjustment of private land claims in the States of Florida, Louisiana, Arkansas, and Missouri, and for other purposes; and

On motion by Mr. Stuart, to amend the bill, in section 7, lines 4, 5, and 6, by striking out the words "the facts reported, as proven by the former board, shall be taken as true *prima facie*, and"

It was determined in the negative,	{	Yeas	19
		Nays	21

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Bright, Broderick, Chandler, Davis, Doolittle, Durkee, Fessenden, Fitzpatrick, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Sebastian, Simmons, Stuart.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Cameron, Clay, Collamer, Crittenden, Dixon, Foot, Green, Hale, Hammond, Iverson, Jones, King, Polk, Pugh, Seward, Slidell, Toombs, Trumbull, Wade.

The bill having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Doolittle reported from the Committee that they had examined and found duly enrolled the following enrolled bills and joint resolutions :

S. 286. An act to enlarge the Detroit and Saginaw land districts, in Michigan ;

S. 296. An act amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856 ;

S. 300. An act for the relief of the Hungarian settlers upon certain tracts of land in Iowa hitherto reserved from sale by order of the President, dated January 22, 1855 ;

S. 307. An act to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes ;

S. 313. An act to amend an act entitled "An act to ascertain and settle the private land claims in the State of California," passed March 31, 1851 ;

S. 30. A resolution to extend for a further term the provisions of the joint resolution approved March 10, 1858, in relation to certain dropped and retired officers of the navy ;

S. 33. A resolution authorizing suitable acknowledgments to be made by the President to the British naval authorities at Jamaica for the relief extended to the officers and crew of the United States ship "Susquehanna," disabled by yellow fever.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The Speaker of the House of Representatives having signed several enrolled bills and enrolled resolutions, I am directed to bring them to the Senate for the signature of its President.

The House of Representatives have passed the bill of the Senate (S. 86) for the admission of the State of Minnesota into the Union.

The President of the United States approved and signed, the 1st instant, the bill (H. R. 359) for the relief of Duncan Robertson ; on the 4th instant the bill (H. R. 306) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858 ;

And on the 5th of May, the following acts:

H. R. 5. An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1859 ;

H. R. C. C. 80. An act for the relief of Captain James Mc McIntosh, of the United States navy.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 86) for the admission of the State of Minnesota into the Union.

A message from the House of Representatives by Mr. Allen, its clerk :

Mr. President: The House of Representatives has passed a bill (H. R. 207) to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns, in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bills and joint resolutions this day reported to have been examined, viz: S. 86, 286, 296, 300, 307, 313; S. R. 30, and S. R. 33; and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 10) repealing all laws or parts of laws allowing bounties to vessels employed in the bank or other cod fisheries; and

After debate, and the consideration, by unanimous consent, of executive business,

The Senate adjourned.

WEDNESDAY, MAY 12, 1858.

The Vice President laid before the Senate a report of the Secretary of the Interior, made in conformity to law, upon claims for depredations by Indians in the Territory of New Mexico; which was read.

Ordered, That it lie on the table and be printed.

The Vice President laid before the Senate a report of the Secretary of War, in answer to a resolution of the Senate, relative to the purchase of Lime Point, California, for military purposes; which was read.

On motion by Mr. Broderick,

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, copies of Major William H. Bell's reports on Butterfield's priming apparatus; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

Mr. Stuart presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots in limited size for the free and exclusive use of actual settlers.

Ordered, That it lie on the table.

On motion by Mr. Stuart,

Ordered, That William Roddy have leave to withdraw his petition and papers.

Mr. Doolittle presented a memorial of the Agricultural Society of the State of Wisconsin, praying that a donation of land may be made to the State of Wisconsin for the establishment and maintenance of a State agricultural college.

Ordered, That it lie on the table.

On motion by Mr. Mason, that the message of the President of the United States, in answer to a resolution of the Senate, calling for information in relation to the seizure, in the valley of Sitana, in Peru, by the authorities of Chile, of the proceeds of the cargo of the brig Macedonian, the property of citizens of the United States, be printed.

On motion by Mr. Fessenden,

Ordered, That the motion be referred to the Committee on Printing.

Mr. Pearce submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to inquire into the propriety of abolishing the offices of register and receiver of public lands in those States where all the public lands have been sold, and providing for the custody of all the public land papers in such cases; also, into the expediency of diminishing the number of land offices in other States and Territories.

Mr. Benjamin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into and report on the expediency of providing by law for the exercise of the power granted by the Constitution of taking private property for public use on allowing just compensation therefor, and that the said committee be instructed to report by bill or otherwise.

The bill (H. R. 207) to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 333) to establish an additional land district in the State of Minnesota; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred a petition of Thomas Laurent, surviving partner of the firm of Benjamin & Thomas Laurent, submitted a report, (No. 244,) accompanied by a bill (S. 334) for the relief of Thomas Laurent, surviving partner of the firm of Benjamin & Thomas Laurent.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred the bill (S. 224) for the relief of Edward Ingersoll, reported it without amendment.

Mr. Wilson also submitted a report on the subject, (No. 245;) which was ordered to be printed.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred papers in relation to the claim of Abner Merrill, submitted a report, (No. 246,) accompanied by a bill (S. 335) for the relief of Abner Merrill, of the State of Maine.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Edward P. Vollum, reported a bill (S. 336) for the relief of Assistant Surgeon Edward P. Vollum,

of the United States army ; which was read and passed to a second reading.

Mr. Hunter asked and, by unanimous consent, obtained leave to bring in a bill (S. 337) to amend the acts in relation to the Post Office Department ; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads ; and,

On motion by Mr. Hunter,

Ordered, That the bill be printed.

Mr. Fessenden, from the Committee on Finance, to whom was referred the petition of Caleb Sherman, submitted a report, (No. 247,) accompanied by a bill (S. 338) for the relief of Caleb Sherman.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Crittenden asked and, by unanimous consent, obtained leave to bring in a bill (S. 339) granting a pension to Joseph Vance ; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Crittenden presented the petition of Joseph Vance, a soldier of the war of 1812, praying to be allowed a pension ; which was referred to the Committee on Pensions.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (S. 31) authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said joint resolution was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 84) to provide for the better regulation of "night signals" on board "sail vessels" navigating the northwestern lakes and their tributaries, and for other purposes ; and, having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Jones reported from the committee that they presented to the President of the United States, the 11th instant, the following enrolled bills and enrolled joint resolutions :

S. 86. An act for the admission of the State of Minnesota into the Union ;

S. 286. An act to enlarge the Detroit and Saginaw land districts in Michigan ;

S. 296. An act amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856 ;"

S. 300. An act for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855 ;

S. 307. An act to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes ;

S. 313. An act to amend the act entitled " An act to ascertain and settle the private land claims in the State of California," passed March 3, 1851 ;

S. 4. A resolution to extend the operation of the act approved January 16, 1857, entitled " An act to amend an act entitled ' An act to promote the efficiency of the navy ;' "

S. 30. A resolution to extend for a further term the provisions of the joint resolution approved 10th March, 1858, in relation to certain dropped and retired officers of the navy ;

S. 33. A resolution authorizing suitable acknowledgments to be made by the President to the British naval authorities at Jamaica for the relief extended to the officers and crew of the United States ship " Susquehanna," disabled by yellow fever ;

H. R. 62. An act making appropriations for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and fifty-nine.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the following bills ; in which it requests the concurrence of the Senate :

H. R. 170. An act for extending the land laws east of the Cascade mountains, in Oregon and Washington Territories ;

H. R. 564. An act to create a land district in the Territory of New Mexico.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States approved and signed, the 11th instant, the following acts and joint resolutions :

S. 86. An act for the admission of the State of Minnesota into the Union ;

S. 286. An act to enlarge the Detroit and Saginaw land district in Michigan ;

S. 296. An act amendatory of an act entitled " An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856 ;

S. 300. An act for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855 ;

S. 307. An act to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes ;

S. 313. An act to amend an act entitled " An act to ascertain and settle the private land claims in the State of California," passed March 3, 1851 ;

S. 4. A resolution to extend the operation of the act approved January 16, 1857, entitled " An act to amend an act entitled ' An act to promote the efficiency of the navy ;' "

S. 30. A resolution to extend for a further term the provisions of the joint resolution approved March 10, 1858, in relation to certain dropped and retired officers of the navy ;

S. 33. A resolution authorizing suitable acknowledgments to be made by the President to the British naval authorities at Jamaica for the relief extended to the officers and crew of the United States ship "Susquehanna," disabled by yellow fever.

Mr. Toombs presented the credentials of the Honorable Henry M. Rice, elected a senator by the legislature of the State of Minnesota ; which were read.

The oath prescribed by law was administered to the honorable Henry M. Rice and he took his seat in the Senate.

Mr. Toombs presented a resolution of the legislature of the State of Minnesota, in joint convention, in favor of the Honorable Henry M. Rice representing that State in the Senate of the United States for the long term ; which was referred to the Committee on the Judiciary.

Mr Harlan submitted the following resolution for consideration ;

Whereas the settlers on Fort Crawford reservation, in the State of Iowa, allege that they have been defrauded by Mr. Henry M. Rice, as agent of honorable John B. Floyd, Secretary of War, in the sale of their claims as settlers on said reservations, viz :

1. That said Secretary of War instructed said Henry M. Rice to sell to the settlers on said reservations their claims at one dollar and twenty-five cents per acre ; that said Rice required said settlers to pay for their claims at the rate of one dollar and fifty cents per acre, and receipted to them, on the payment of said one dollar and fifty cents per acre, for but one dollar and twenty-five cents per acre, and refused to receipt to them for the remaining twenty-five cents per acre received of them by him, as aforesaid.

2. That sundry cases in which settlers applied to said Rice for leave to enter their said claims, he referred them to his clerk, who charged them fees, varying from ten to eighty dollars each, in addition to the said one dollar and fifty cents per acre, for leave to purchase their said claims ; that these fees were charged and received by the said Rice corruptly, as said settlers believe, through the interposition of his clerk.

3. That said Rice negligently failed to give said settlers reasonable notice of the time of said sale, and thereby subjected them to the necessity of borrowing money at enormous rates of interest with which to purchase their said claims.

4. That said Rice defrauded one of said settlers of his rights to purchase his claim under the instruction of the Secretary of War, by surreptitiously securing from him a quit claim to a part of the land embraced in said claim : Therefore—

Resolved, That a committee be appointed to investigate the allegation of fraud and extortion made against Henry M. Rice, as agent of the Secretary of War, in the sale of the Fort Crawford reservation, by settlers on said reservation, and that said committee have power to send for persons and papers.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 201) making appropriations for the legislative, execu-

tive, and judicial expenses of government for the year ending the 30th of June, 1859, reported it with amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 82) to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or mixed bloods of the Dacotah or Sioux nation of Indians, and for other purposes," approved 17th July, 1854, with an amendment; in which it requests the concurrence of the Senate.

The credentials of the honorable James Shields, elected a senator by the legislature of the State of Minnesota, having been heretofore presented, were read; and,

On motion by Mr. Crittenden,

The oath prescribed by law was administered to the Honorable James Shields and he took his seat in the Senate.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 565) to confirm the land claim of certain pueblos and towns in the Territory of New Mexico; in which it requests the concurrence of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 10) repealing all laws, or parts of laws, allowing bounties to vessels employed in the bank or other cod fisheries.

On motion by Mr. Hamlin, to amend the bill, section 1, line 2, by striking out "eighteen hundred and fifty-nine" and inserting *eighteen hundred and sixty-five*,

It was determined in the negative,	{	Yeas.....	27
		Nays.....	28

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Shields, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Yulee.

On motion by Mr. Hamlin, to amend the bill, section 1, line 2, by striking out "eighteen hundred and fifty-nine" and inserting *eighteen hundred and sixty-three*,

It was determined in the negative,	{	Yeas.....	27
		Nays.....	28

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Shields, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Yulee.

On motion by Mr. Hale, to amend the bill by adding thereto the following section :

SEC. —. *And be it further enacted, That all laws establishing a naval school at Annapolis and a military school at West Point be, and the same are hereby repealed;*

It was determined in the negative, { Yeas 13
Nays..... 39

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Durkee, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Doolittle, Fitzpatrick, Foot, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Jones, King, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Seward, Shields, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wilson, Yulee.

An amendment being proposed by Mr. Allen,

A motion was made by Mr. Mason, that the Senate adjourn; and

It was determined in the negative, { Yeas 5
Nays 47

On motion by Mr. Polk,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Clay, Crittenden, Davis, Mason, Pearce.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Cameron, Chandler, Clark, Clingman, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Green, Gwin, Hale, Hamlin, Hammond, Harlan, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Polk, Pugh, Rice, Sebastian, Seward, Shields, Simmons, Slidell, Stuart, Sumner, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson, Yulee.

On motion by Mr. Bell, that the further consideration of the bill be postponed to the first Monday in December next,

It was determined in the negative, { Yeas 26
Nays 26

On motion by Mr. Bell,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Cameron, Chandler, Clark, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Shields, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Yulee.

The Senate being equally divided,

The Vice President determined the question in the negative.

A motion being made by Mr. Allen to amend the bill,

A motion was made by Mr. Trumbull to amend the proposed amendment; and,

On motion by Mr. Bigler,

The Senate adjourned.

THURSDAY, MAY 13, 1858.

The following bills were severally read the first and second times, by unanimous consent:

H. R. 170. An act for extending the land laws east of the Cascade mountains in Oregon and Washington Territories;

H. R. 564. An act to create a land district in the Territory of New Mexico;

H. R. 565. An act to confirm the land claim of certain pueblos and towns in the Territory of New Mexico.

Ordered, That the bills numbered 170 and 564 be referred to the Committee on Public Lands, and that the bill numbered 565 be referred to the Committee on Private Land Claims.

Mr. Pearce presented a memorial of the trustees of the Columbian College, at the city of Washington, praying a grant of land for the endowment of said college; which was referred to the Committee on the District of Columbia.

Mr. Benjamin presented a memorial of Georgiana M. Lewis, widow of Armstrong Irvine Lewis, a lieutenant in the Texan navy, praying to be paid the five years' pay allowed to the surviving officers of the Texan navy; which was referred to the Committee on Naval Affairs.

Mr. Bright presented a memorial of Riggs & Co., praying the reimbursement of money advanced by them to Charles Loring, late receiver of public moneys at Benecia, California; which was referred to the Committee on Claims.

Mr. Green presented a petition of citizens of Missouri, remonstrating against a diversion of the proceeds of the lands granted to the State of Iowa for the improvement of the Des Moines river; which was referred to the Committee on Public Lands.

Mr. Polk presented a memorial of Gilbert & Gerrish, praying the payment of drafts drawn by J. L. Heywood, United States marshal

for the Territory of Utah, for money advanced by them for expenses of the United States court in that Territory in 1855 and 1856; which was referred to the Committee on Claims.

Mr. Polk presented a petition of citizens of St. Charles county, Missouri, praying that the land office at St. Louis may be continued, and that land offices in that State about to be closed under authority of law may be consolidated at St. Louis; which was referred to the Committee on Public Lands.

Mr. Slidell presented a petition of John E. Caldwell, praying that the Postmaster General be authorized to adjust and settle his claim to compensation for carrying the mails from New Orleans to Vicksburg on principles of equity and justice; which was referred to the Committee on Post Offices and Post Roads.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Louis F. Tasistro, submitted an adverse report, (No. 248;) which was ordered to be printed.

Mr. Simmons, from the Committee on Patents and the Patent Office, to whom was referred a petition of Nathan Scholfield, submitted an adverse report, No. 248;) which was ordered to be printed.

On motion by Mr. Crittenden,

Ordered, That a member be appointed to fill the vacancy in the Committee on Revolutionary Claims in the place of Hon. J. J. Evans, deceased; that a member be appointed to fill a vacancy during the absence of Mr. Bates; and that the Vice President make the appointments.

On motion by Mr. Gwin,

Ordered, That J. Rutherford Worster have leave to withdraw his petition and papers.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the report of the Secretary of War communicating, in compliance with resolutions of the Senate, a copy of the report of Captain T. J. Cram's military topographical memoir and report, with maps, on the department of the Pacific, together with a letter from Hon. I. I. Stevens, and a report of Captain A. A. Humphreys on the character of that memoir, reported

That the committee be discharged from the further consideration of the report, and that the memoir be returned to the War Department; and

The report was agreed to.

Mr. Pugh, from the Committee on the Judiciary, to whom was referred the bill (S. 124) to provide for holding of the stated terms of the circuit and district courts of the United States for the northern and southern districts of the State of Ohio, and for other purposes, reported it with an amendment.

Mr. Stuart, from the Committee on Public Lands, to whom were referred the following bills, viz:

S. 62. A bill to establish an additional land district in the State of Iowa;

S. 299. A bill to establish an additional land district in the State of Iowa, reported them without amendment and that they ought not to pass.

Mr. Broderick, submitted the following resolutions; which were considered, by unanimous consent, and agreed to:

Resolved, That the Postmaster General be requested to inform the Senate whether any sums, and if so, what sums, have been returned by the postmaster of San Francisco as rents received for the use of the post office lobby from July 1, 1854, to December 31, 1857.

Resolved, That the Postmaster General be also requested to inform the Senate, at the same time, whether there be on the files of the Post Office Department any complaints of malfeasance in office or violations of law on the part of the San Francisco postmaster, and if so, when the same were filed, and in what manner they are substantiated; the nature of the charges; the specific sections of the law which the alleged acts are in violation of; and what action, if any, has been taken in regard thereto.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 300) declaring the title to land warrants in certain cases, reported it without amendment.

The bill (S. 278) concerning the courts of the United States in the district of Arkansas was read the second time, and considered as in Committee of the Whole; and an amendment being proposed by Mr. Doolittle,

On motion by Mr. Johnson, of Arkansas,

Ordered, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 59) in relation to courts and the holding of the terms thereof in the several Territories of the United States, in which it requests the concurrence of the Senate.

The hour having arrived for the consideration of the special orders,

On motion by Mr. Hunter, that the prior orders of the day be postponed for the purpose of considering the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the 30th of June, 1859,

A division of the motion was called for by Mr. Douglas; and

On the question to agree to so much of the motion as proposed to postpone the prior orders,

It was determined in the affirmative, { Yeas..... 32
Nays..... 20

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bell, Bigler, Cameron, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hale, Hamlin, Harlan, Hunter, Johnson, of Arkansas, Mason, Sebastian, Seward, Shields, Simmons, Slidell, Stuart, Sumner, Thomson, of New Jersey, Toombs, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bright, Broderick, Chandler, Clay, Cling-

man, Davis, Green, Hammond, Houston, Iverson, Johnson, of Tennessee, Jones, King, Mallory, Polk, Pugh, Trumbull, Yulee.

Whereupon,

The Senate proceeded to consider the bill (H. R. 201) as in Committee of the Whole, with the amendments reported thereto.

On motion by Mr. Johnson, of Tennessee, that the further consideration of the bill be postponed until to-morrow,

It was determined in the negative, { Yeas..... 18
Nays 35

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Doolittle, Douglas, Durkee, Fessenden, Hamlin, Harlan, Johnson, of Tennessee, Jones, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson,

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Cameron, Clark, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Fitzpatrick, Foster, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Shields, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On the question to agree to the following reported amendment, viz :

SEC. 2. Strike out all after the word "That," in the first line, and insert:

Hereafter the estimates for the various executive departments shall designate not only the amount required to be appropriated for the next fiscal year, but also the amount of the outstanding appropriation, if there be any, which will probably be required to be used for each particular item of expenditure,

It was determined in the affirmative, { Yeas..... 26
Nays 18

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Brown, Clay, Clingman, Davis, Green, Gwin, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Mallory, Mason, Pearce, Polk, Rice, Sebastian, Shields, Stuart, Wright, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Clark, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson, of Tennessee, King, Pugh, Seward, Simmons, Toombs, Trumbull, Wade, Wilson.

The bill having been further amended, was reported to the Senate ; and

On the question to concur in the following amendment :

Page 19, after line 449 insert :

For clerk hire, office rent, fuel, and lights at the several district land offices of the land States and Territories, to be apportioned in such manner as, in the judgment of the Secretary of the Interior, the public interest may require, fifty thousand dollars.

On motion by Mr. Gwin,

The said amendment was amended by striking out "fifty thousand" and inserting *sixty thousand*; and the amendment, as amended, was concurred in.

The residue of the amendments, made as in Committee of the Whole, were concurred in.

On motion by Mr. Trumbull, to amend the bill by inserting after the word "dollars" in the 9th line: *And a sufficient sum in addition thereto to pay the mileage of the newly elected members of the Senate in attendance at the called executive session commencing on the fourth day of March, 1857; but nothing herein contained shall be so construed as to allow constructive mileage,*

It was determined in the affirmative.

No further amendment being proposed,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill was read the third time as amended.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Doolittle, that the vote on passing the said bill (H. R. 201) be reconsidered,

It was determined in the affirmative, { Yeas..... 28
Nays 16

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Broderick, Brown, Cameron, Chandler, Clark, Davis, Dixon, Doolittle, Fessenden, Foster, Green, Hamlin, Harlan, Houston, Iverson, Johnson, of Tennessee, King, Mallory, Polk, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Bright, Clay, Clingman, Fitzpatrick, Gwin, Hammond, Hunter, Johnson, of Arkansas, Mason, Pugh, Rice, Sebastian, Slidell, Toombs, Yulee.

On motion by Mr. Hunter,

Ordered, That the vote ordering the amendments to be engrossed and the bill read a third time, be reconsidered.

On motion by Mr. Hunter, to amend the bill by striking out lines 133, 134, 135, 136, 137—the clause relating to compensation to the reporters for the Congressional Globe,

A motion was made by Mr. Brown to amend the bill by inserting, after line 137, the following:

To enable John C. Rives to pay to the reporters of the Senate the usual extra compensation for the third session of the 34th Congress, \$800 each, \$3,200.

To enable John C. Rives to pay to the reporters of the Senate the usual extra compensation for the first session of the 35th Congress, \$800 each, \$3,200.

To enable John C. Rives to pay to the reporters of the Senate the usual extra compensation for the second session of the 35th Congress, \$800 each, \$3,200.

Mr. Hunter raised a question of order, whether the amendment proposed by Mr. Brown was in conformity with the 30th rule.

The President, (Mr. Foster in the chair,) in conformity to the sixth rule, asked for the sense of the Senate on the question of order; and

After debate,

On motion by Mr. Wade,

The Senate adjourned.

FRIDAY, MAY 14, 1858.

The following message was received from the President of the United States, by Mr. Henry, his secretary:

To the Senate of the United States:

I transmit to the Senate a report, dated 13th instant, with the accompanying papers, received from the Secretary of State, in answer to the resolution of the Senate of the 5th instant, requesting information in regard to measures which may have been adopted for the protection of American commerce in the ports of Mexico.

JAMES BUCHANAN.

WASHINGTON, May, 1858.

The message was read.

On motion by Mr. Benjamin,

Ordered, That it lie on the table and be printed.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, the reports of the officers sent to Europe in 1855 to collect information in relation to military affairs, so far as they have not been heretofore communicated to the Senate; which was read.

On motion by Mr. Davis,

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The Vice President laid before the Senate a letter of the Commissioner of Patents, communicating, agreeably to law, that portion of his annual report which relates to agriculture; which was read.

Ordered, That it lie on the table.

The Vice President laid before the Senate a report of the Secretary of the Navy, in answer to a resolution of the Senate for information as to the establishment of a naval depot at Blythe Island, Georgia; which was read.

Ordered, That it lie on the table and be printed.

Mr. Pearce presented a petition of Virginia Waldron, widow of the late Captain and Brevet Major Nathaniel S. Waldron, of the United States marine corps, praying to be allowed a pension; which was referred to the Committee on Naval Affairs.

Mr. Bright presented a petition of Charles Wilkes, praying compensation for damages to his property on North Capitol street, in the city of Washington, by the alteration of the grade of that street; which was referred to the Committee on Claims.

Mr. Pearce presented a memorial of John A. Smith, clerk of the

circuit court of the District of Columbia and clerk of the criminal court for the county of Washington, in said District, praying the passage of an act for settling his accounts, so that he may be charged only with the fees which he has received or might, by due diligence, have received; which was referred to the Committee on the Judiciary.

Mr. Bigler presented a petition of R. F. Rittenhouse, a clerk in the office of the Register of the Treasury, praying compensation for extra services; which was referred to the Committee on Finance.

Mr. King presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots of limited size for the free and exclusive use of actual settlers.

Ordered, That it lie on the table.

Mr. Benjamin presented a petition of Mrs. Aña M. Roblas y Robaldo, widow of F. Robaldo, asking to be paid for certain property destroyed by American troops in Mexico, by order of their commanding officer, in the late war with Mexico; which was referred to the Committee on Military Affairs and the Militia.

Mr. Bright submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested, as far as is compatible with the public interest, to communicate to the Senate any information which may have been received concerning the recent search or seizure of American vessels by foreign armed cruisers in the Gulf of Mexico or the adjacent seas, and also what measures, if any, have been taken in relation thereto.

Mr. Foster submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the propriety and justice of an increase in the compensation of the special agent of the Post Office Department at large for the district of New York and New England States.

Mr. Rice submitted the following resolution for consideration:

Resolved, That a select committee, to consist of five members, be appointed to investigate the charges preferred by certain citizens of Iowa, settlers upon the Fort Crawford reserve, as to the conduct of Henry M. Rice, special agent, appointed by the Secretary of War, to superintend the sale of that reserve; that said committee have power to send for persons and papers and to report by bill or otherwise.

Mr. King, from the Committee on Pensions, to whom was referred a petition of Rachel Posey, widow of Micajah Posey, submitted an adverse report.

Mr. King, from the Committee on Pensions, to whom were referred documents in support of the claim of Francis Huttenack to a pension, submitted an adverse report.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred a resolution of the legislature of Minnesota in joint convention, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Senate proceed to ascertain the classes in which the senators from the State of Minnesota shall be inserted, in conformity with the resolution of the 14th of May, 1789, and as the Constitution requires.

On motion by Mr. Bayard,

Ordered, That the Secretary put into the ballot-box two papers of equal size, one of which shall be numbered one and the other shall be a blank. Each of the senators of the State of Minnesota shall draw out one paper, and the senator who shall draw the paper numbered one shall be inserted in the class of senators whose term of service will expire the 3d day of March, 1859.

That the Secretary then put into the ballot-box two papers of equal size, one of which shall be numbered *two*, and the other shall be numbered *three*. The other senator shall draw out one paper. If the paper drawn be numbered *two*, the senator shall be inserted in the class of senators whose terms of service will expire the 3d day of March, 1861; and if the paper drawn be numbered *three*, the senator shall be inserted in the class of senators whose terms of service will expire the 3d day of March, 1863.

Whereupon,

The papers first above mentioned being put by the Secretary into the ballot-box, the honorable James Shields drew the paper numbered *one*, and is accordingly in the class of senators whose terms of service will expire the 3d day of March, 1859; and the honorable Henry M. Rice drew the blank. The papers numbered *two* and *three* were then put by the Secretary into the box; and the honorable Henry M. Rice drew the paper numbered *three*, and is accordingly in the class of senators whose terms of service will expire on the 3d day of March, 1863.

The Vice President announced the appointment of the honorable Benjamin Fitzpatrick to fill the vacancy in the Committee to Audit and Control the Contingent Expenses of the Senate, and the appointment of the honorable Thomas L. Clingman to fill the vacancy in the Committee on Revolutionary Claims, occasioned by the decease of the honorable Josiah J. Evans; also the appointment of the honorable James Shields as a member of the Committee on Revolutionary Claims during the absence of the honorable Martin W. Bates.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 245) to authorize the settlement of the accounts of Luther Jewett, late collector of the district of Portland and Falmouth, in the State of Maine.

It has passed the joint resolution of the Senate (S. 2) authorizing the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California.

The bill (H. R. 59) in relation to courts and the holding of the terms thereof in the several Territories of the United States was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Benjamin, from the Committee on Commerce, to whom was referred the bill (S. 258) concerning seamen, reported it with amendments.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Ann L. Rogers, wife and assignee of John A. Rogers,

submitted a report, (No. 250,) accompanied by a bill (S. 340) for the relief of Ann L. Rogers.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Fessenden, from the Committee on Finance, to whom was referred the bill (S. 106) for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith, reported it with an amendment.

Mr. Fessenden also submitted a report (No. 251) on the subject; which was ordered to be printed.

A message from the House of Representatives by Mr. Allen, its clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 426) for the relief of Monroe D. Downs, in which it requests the concurrence of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 46) to grant the right of pre-emption in certain lands to the Indiana Yearly Meeting of the Society of Friends; and,

On motion by Mr. Johnson, of Arkansas, that it be referred to the Committee on Indian Affairs,

A motion was made by Mr. Iverson, that the bill lie on the table; and

It was determined in the negative, { Yeas..... 15
Nays..... 27

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Clay, Clingman, Davis, Fitzpatrick, Green, Hammond Henderson, Houston, Iverson, Kennedy, Mason, Polk, Sebastian, Slidell, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Mallory, Pugh, Seward, Shields, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

The question recurring on the motion of Mr. Johnson, of Arkansas, to refer the bill to the Committee on Indian Affairs,

It was determined in the negative.

On motion by Mr. Green, to amend the bill, section 1, line 6, strike out the words "three hundred and twenty," and insert *eighty*,

It was determined in the negative, { Yeas..... 19
Nays 25

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Brown, Clay, Fitzpatrick, Green, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Mason, Polk, Sebastian, Slidell, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Broderick, Cameron, Chandler, Clark Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, King, Pugh, Seward, Shields, Simmons, Stuart, Trumbull, Wade.

The bill having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas..... 29
Nays 17

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, King, Pearce, Pugh, Seward, Shields, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Brown, Clay, Fitzpatrick, Green, Hammond, Henderson, Houston, Hunter, Johnson, of Arkansas, Mallory, Mason, Polk, Sebastian, Slidell, Toombs, Wright, Yulee.

So it was

Resolved, That the bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 89) reported from the Court of Claims for the relief of George Ashley, administrator *de bonis non* of Samuel Holgate, deceased; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the negative, { Yeas..... 17
Nays 20

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Crittenden, Dixon, Foot, Foster, Harlan, Iverson, Polk, Seward, Shields, Simmons, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Brown, Clay, Fessenden, Fitzpatrick, Green, Hammond, Henderson, Houston, Hunter, Johnson, of Arkansas, Jones, King, Pugh, Slidell, Toombs, Wilson, Wright.

So the bill was rejected.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 90) reported from the Court of Claims for the relief of John Ericsson; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 93) reported from the Court of Claims for the relief of Nahum Ward; and,

On motion by Mr. Pugh,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 30) for the relief of Elizabeth Montgomery, heir of Hugh Montgomery; and, the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 103) for the relief of Simon de Visser and José Villarubia, of New Orleans, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That the bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 108) reported from the Court of Claims for the relief of O. H. Berryman, and others, was read the second time, and considered as in Committee of the Whole, and

On motion by Mr. Pugh,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Hunter, that the vote on passing the bill (S. 103) for the relief of Simon de Visser and José Villarubia, of New Orleans, be reconsidered,

It was determined in the affirmative.

The vote ordering the said bill to be engrossed and read a third time was reconsidered.

Whereupon,

The Senate resumed the consideration of the said bill.

On motion by Mr. Slidell, that it be postponed to the first Monday in December next,

It was determined in the negative.

On motion by Mr. Iverson to amend the bill by adding, at the end thereof, the following:

Provided, That nothing in this act shall be so construed as to relieve the said parties from any amount of duties which may be justly due to the United States on account of said importations, and that this act shall not take effect until said duties are paid;

It was determined in the affirmative, { Yeas..... 25
Nays..... 9

On motion by Mr. King,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Brown, Chandler, Crittenden, Davis, Doolittle, Fessenden,
Foster, Green, Harlan, Henderson, Iverson, Johnson, of Tennessee,
King, Mallory, Polk, Sebastian, Seward, Shields, Simmons, Slidell,
Stuart, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Broderick, Clay, Fitzpatrick, Houston,
Pugh, Rice, Toombs.

No further amendment being proposed, the bill was reported to the Senate, and the amendment made in Committee of the Whole was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Green, that the vote on passing the bill (S. 90) for the relief of John Ericsson be reconsidered,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion,

The Senate adjourned.

SATURDAY, MAY 15, 1858.

The Vice President laid before the Senate a report of the Court of Claims, made in pursuance of law, in favor of the claim of Richard Fitzpatrick.

Ordered, That it be referred to the Committee on Claims.

The Vice President laid before the Senate testimony in the case of the contested election of the honorable Jesse D. Bright and the honorable Graham N. Fitch, as senators of the United States from the State of Indiana; which was referred to the Committee on the Judiciary.

Mr. Gwin presented a resolution of the legislature of California, in favor of the interposition of the general government for the release of J. M. Ainsa, an American citizen held in captivity at Sonora, in Mexico.

Ordered, That it be referred to the Committee on Foreign Relations and be printed.

Mr. Gwin presented a resolution of the legislature of California, in favor of the construction of a breakwater at San Luis Obispo, in that State.

Ordered, That it be referred to the Committee on Commerce and be printed.

Mr. Broderick presented a resolution of the legislature of California, in favor of a donation of land to each of the States and Territories of the Union, for the endowment and maintenance of colleges for instruc-

tion in such branches of education as pertain to agriculture, the mechanic arts, and natural history.

Ordered, That it be referred to the Committee on Public Lands and be printed.

Mr. Seward presented a memorial of James Monroe, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Seward presented a memorial of the president and directors of the Metropolitan Railroad Company, praying the assent of Congress to the act of the legislature of Maryland incorporating said company, the incorporation of said company in the District of Columbia, and authority to extend their railroad through Georgetown and Washington; which was referred to the Committee on the District of Columbia.

Mr. Hammond presented a memorial of the Charleston chamber of commerce, praying an appropriation for the lighting, buoying, &c., of Maffit's channel; which was referred to the Committee on Commerce.

Mr. Pearce presented two petitions of citizens of Washington, praying a donation of land or an appropriation of money for the permanent endowment of the Columbian College, in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. Harlan presented papers in favor of the establishment of a mail route from Burlington to Farmington, in the State of Iowa; which were referred to the Committee on Post Offices and Post Roads.

Mr. Doolittle presented a petition of William Merrihew, an officer of the army in the Mexican war, praying additional pay as such; which was referred to the Committee on Military Affairs and the Militia.

Mr. Polk presented a memorial of R. H. Miller & Sons, praying that the duties paid by them on certain earthenware imported by them and destroyed by fire in transitu from New Orleans to St. Louis may be refunded; which was referred to the Committee on Finance.

Mr. Rice presented twelve memorials of the legislature of Minnesota, praying the establishment of the following mail routes: Between Shocapee, St. Valentine, Rockford, Monticello, and Clearwater, in that State; from the city of Glencoe to Watertown, in said State; from the city of Glencoe to Clearwater, in said State; from Minneapolis to Kandirjoki, in that State; from Elliot to Blue Earth City, in that State; from Minneapolis to Henderson; from St. Peter to the Sioux Agency; from Brownsville to Winona; from Looneysville, in Houston county, via Houston, Yucatan, Dedham, and Lenora, to Elliot; from McGregor, in Iowa, to Owatonna, in that State; from Chatfield to Austin; and from Chatfield to Winnebago City, in that State; which were referred to the Committee on Post Offices and Post Roads.

Mr. Rice presented a memorial of the legislature of Minnesota, in favor of an appropriation for the erection of a bridge across Root river, in township 104, range 8 west, county of Fillmore, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Rice presented a memorial of the citizens of the county of Pembina, in the Territory of Dacotah, praying an early organization of

the Territory, and for the establishment of the capital at St. Joseph ; which was referred to the Committee on Territories.

Mr. Crittenden presented a memorial of Tal. P. Shaffner, of Kentucky, praying an amendment of the act of Congress approved March 3, 1857, entitled "An act to expedite telegraphic communication for the uses of the government in its foreign intercourse," so that the subsidy granted by the said act shall be general in its application to all Atlantic ocean telegraph lines ; which was referred to the Committee on the Judiciary.

On motion by Mr. Crittenden, that the memorial be printed,

Ordered, That the motion be referred to the Committee on Printing.

Mr. Rice presented a memorial of the legislature of Minnesota, praying that an appropriation may be made for the improvement of the St. Croix river ; which was referred to the Committee on Commerce.

Mr. Rice presented a memorial of the legislature of Minnesota, praying that an appropriation may be made for the improvement of the Mississippi from the mouth of the Minnesota river to Sauk Rapids ; which was referred to the Committee on Commerce.

Mr. Rice presented a memorial of the legislature of Minnesota, praying that an appropriation may be made for the removal of the Beef Slough bar, in the Mississippi river ; which was referred to the Committee on Commerce.

Mr. Rice presented a memorial of the legislature of Minnesota, praying a donation of land for the establishment of an agricultural college in that State ; which was referred to the Committee on Public Lands.

Mr. Rice presented a memorial of the legislature of Minnesota, praying the enactment of a law securing to every person who will settle upon and occupy one hundred and sixty acres of land for five years, and have forty acres of the same at the end of that time under good cultivation, the right to purchase the same at a price not exceeding the actual cost and expenses of survey and transfer ; which was referred to the Committee on Public Lands.

Mr. Rice presented a memorial of the legislature of Minnesota, in favor of an amendment of the second section of an act granting land to Minnesota for railroad purposes ; which was referred to the Committee on Public Lands.

Mr. Rice presented a memorial of the legislature of Minnesota, praying relief to those settlers whose pre-emption claims have been lost by the grant of land to Minnesota for railroad purposes ; which was referred to the Committee on Public Lands.

Mr. Rice presented a memorial of the legislature of Minnesota, praying an appropriation to aid in the construction of a wagon road from some point on Lake Superior, in the State of Minnesota, to the South Pass of the Rocky mountains ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Rice presented a memorial of the legislature of Minnesota, in favor of an appropriation to complete the Point Douglas and St. Louis military road ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Rice presented a memorial of the citizens of Buchanan, Minne-

sota, in favor of the northern Pacific railroad route; which was referred to the select committee on the Pacific railroad.

Mr. Rice presented papers relating to the claim of Louis Roberts for indemnification for losses sustained by him by the burning of certain Indian supplies while being transported to the Indian country, in November, 1855; which were referred to the Committee on Indian Affairs.

Mr. Thomson, of New Jersey, presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots of limited size for the free and exclusive use of actual settlers not possessed of other lands.

Ordered, That it lie on the table.

Mr. Broderick presented a certified copy of an act of the legislature of California, concerning the city of San Francisco, and ratifying and confirming certain ordinances of the common council of said city; which was referred to the Committee on Public Lands.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of inhabitants of the town of Duxbury, Massachusetts, engaged and interested in the cod and haddock fisheries, reported adversely thereon, and that the committee be discharged from the further consideration of the subject.

Mr. Clay, from the Committee on Commerce, to whom were referred the memorial of a committee of the corporation of Georgetown, praying an appropriation for the removal of the mud in the harbor of said town, &c.; a memorial of a committee of the corporation of Georgetown, praying an appropriation for the improvement of the harbor of Georgetown; a petition of citizens of California, praying that an appropriation may be made for the survey of the harbor of Crescent city, with a view to the construction of a breakwater; a resolution of the legislature of Iowa, in favor of an appropriation of money for a double-track railroad around the lower rapids in the Mississippi, on the west side of the river; resolves of the legislature of Massachusetts, in favor of a scientific survey of the harbor of Boston; resolutions of the legislature of New Jersey, in favor of appropriations for the better preservation of life and property in cases of shipwreck, and for the more effective working of the government apparatus on the coast of New Jersey; a petition of the inhabitants of Jefferson county, New York, praying the construction of a breakwater at the port of Cape Vincent; memorial of underwriters of Philadelphia, praying that a steam revenue cutter may be built at that place and stationed in the Delaware bay and the coast adjacent thereto; petition of certain persons, calling themselves Hollanders, adopted citizens of Michigan, praying the improvement of Black Lake harbor, in that State, and compensation for a pile-driver lost while in the service of the United States; petition of citizens of Florida, praying that a light-house or light-boat be placed at Bacon Rock, about ten miles west of Bay Port; memorial of the legislature of Wisconsin, in favor of the erection of a light-house at the mouth of Kewaunee river; petition of citizens of Wisconsin, praying the erection of a light-house at Kewaunee; memorial of B. D. Hills and others, praying the erection of a light-house at the mouth of the Kewaunee river, Wisconsin; two petitions of citi-

zens of Michigan, praying the improvement of the harbor of Mackinaw city and the erection of a fort, a light-house, and a custom-house at that point; petition of residents of Ohio, praying the improvement of the harbor of Mackinaw city, the erection of a light-house and custom-house thereat, also a fort, for the protection of the cities of Lake Michigan; petition of citizens of Lockport, New York, praying the construction of a harbor of refuge at New Buffalo, Michigan; two petitions of citizens of Michigan, praying the construction of a harbor of refuge at New Buffalo, in that State; resolution of the legislature of Michigan, in favor of an appropriation for the repair of the St. Mary's Fall's ship canal; petition of citizens of Ashtabula county, praying the improvement of Ashtabula harbor; memorial and resolution of the legislature of Nebraska, praying an appropriation to bridge the Platte river; petition of the citizens of Ashtabula, Ohio, praying the repair or rebuilding of the light-house and pier at that place; resolutions of the board of trade of Cleveland, Ohio, in favor of an appropriation of public lands to aid in the construction of a ship canal around the Falls of Niagara; resolution of the legislature of Michigan, in favor of an appropriation for the improvement of certain harbors; a resolution of the Senate, in relation to appropriations for repairs and security of the works heretofore commenced for the improvement of harbors and navigable rivers; and a resolution of the Senate in relation to an appropriation for completing the removal of the raft of Red river; reported adversely thereon.

Mr. Clark, from the Committee on Claims, to whom was referred a memorial of Hezekiah Miller, of the District of Columbia, submitted an adverse report, (No. 255;) which was ordered to be printed.

Mr. Clay, from the Committee on Commerce, to whom were referred the following bills:

S. 5. A bill to provide for a survey of the Ohio river and its principal tributaries;

S. 7. A bill for the improvement of navigation at the falls of the Ohio river;

S. 19. A bill to continue the improvements in the harbor of Newark, New Jersey;

S. 43. A bill to authorize the improvement of the Mississippi, Missouri, Ohio, and Arkansas rivers by contract, and making appropriations for the same;

S. 146. A bill making an appropriation for deepening the channel of the St. Mary's river in the State of Michigan;

S. 147. A bill making an appropriation for deepening the channel over the St. Clair flats, in the State of Michigan;

S. 228. A bill making appropriations for certain public works in the State of Maine; reported them without amendment and that they ought not to pass.

Mr. Clay, from the Committee on Commerce, to whom the subject was referred, reported the following bills; which were read and passed to a second reading:

S. 341. A bill making appropriations for repairing and securing the works at the harbor of Chicago, Illinois;

S. 342. A bill making appropriations for the preservation and repair of the piers at the mouth of Milwaukee river, Wisconsin ;

S. 343. A bill making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin ;

S. 344. A bill making appropriations for repairing the works at the harbor of St. Joseph, Michigan ;

S. 345. A bill making appropriations for repairing the works at the harbor of Monroe, Michigan ;

S. 346. A bill making appropriations for completing the improvements in the raft region of Red river ;

S. 347. A bill making appropriations for deepening and widening the channel through the St. Clair flats, Michigan ;

S. 348. A bill making appropriations for the preservation of steam dredges and appurtenances ;

S. 349. A bill making appropriations for repairs of the piers at Burlington, Vermont ;

S. 350. A bill making appropriations for immediate repairs required for the preservation of Oswego harbor, New York ;

S. 351. A bill making appropriations for repairing the piers at Sodus Bay harbor, Wayne county, New York, and for dredging between the channel piers.

S. 352. A bill making appropriations for repairing the public works at Genesee harbor, New York ;

S. 353. A bill making appropriations for repairing the piers of Oak Orchard harbor, New York ;

S. 354. A bill making appropriations for repairing the public works at Buffalo harbor, New York ;

S. 355. A bill making appropriations for the immediate repair of Dunkirk harbor works ;

S. 356. A bill making appropriations for the immediate repair of the piers at Erie harbor, Pennsylvania ;

S. 357. A bill making appropriations for repairing the works at the harbor of Conneaut, Ohio ;

S. 358. A bill making appropriations for repairing the works at the harbor of Ashtabula, Ohio ;

S. 359. A bill making appropriations for repairs upon the works at Grand River harbor, Ohio ;

S. 360. A bill making appropriations for securing and repairing the works at the harbor of Cleveland, Ohio ;

S. 361. A bill making appropriations for repairs upon the works at Black River harbor, Ohio ;

S. 362. A bill making appropriations for repairs upon the works at Huron harbor, Ohio ;

S. 363. A bill making appropriations for unforeseen contingencies of lake harbors.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (S. 217) to constitute Montgomery, in the State of Alabama, a port of delivery, reported it without amendment.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 37) authorizing the President of the

United States to give to the government of Hanover the notice required by the treaty of 10th June, 1846, for the termination of the eleventh article of said treaty; which was read the first and second times, by unanimous consent, and referred to the Committee on Foreign Relations.

On motion by Mr. Fessenden, that the vote on passing the bill (S. 89) for the relief of George Ashley, administrator *de bonis non* of Samuel Holgate, deceased, be reconsidered,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Hamlin asked and, by unanimous consent, obtained leave to bring in a bill (S. 364) to improve the channel of the Potomac river, in the District of Columbia; which was read the first and second times, by unanimous consent, and ordered to lie on the table.

Mr. Clark, from the Committee on Claims, to whom was referred a petition of John Grayson, submitted a report, (No. 252,) accompanied by a joint resolution (S. 38) for the relief of John Grayson.

The joint resolution was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Rice asked and, by unanimous consent, obtained leave to bring in a bill (S. 365) authorizing the judges of the late Territory of Minnesota to discharge certain trusts; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Rice asked and, by unanimous consent, obtained leave to bring in a bill (S. 366) authorizing the establishment of a northern Pacific mail route; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Davis, from the Committee on Military Affairs and the Militia, who were instructed by a resolution of the Senate of the 3d instant to inquire into the subject, submitted a report, (No. 253,) accompanied by a bill (S. 367) to provide for the payment of certain California claims.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, the reports of the officers sent to Europe in 1855 to collect information in relation to military affairs, so far as they have not been heretofore communicated to the Senate, reported a joint resolution (S. 39) directing the printing of certain reports therein mentioned; which was read the first and second times, by unanimous consent, and ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred a petition of Eliza E. Ogden, submitted a report, (No. 254,) accompanied by a bill (S. 368) for the relief of Mrs. Eliza E. Ogden.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Fitzpatrick was, on his motion, excused from serving on the

Committee to Audit and Control the Contingent Expenses of the Senate.

On motion by Mr. Fitzpatrick,

Ordered, That the Vice President appoint a member to fill the vacancy in said committee; and

Mr. Johnson, of Tennessee, was appointed.

Mr. King submitted the following resolution for consideration:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate what proceedings, if any, have been taken to investigate by that department the frauds upon the revenue by false invoices and false computations of quantities and values by a partner of the commercial house of Simon De Visser and José Villarubia, of New Orleans, and whether there be any reason to impute complicity in the frauds to any officers of the customs.

On motion by Mr. Hunter, that the prior orders of the day be postponed for the purpose of considering the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the 30th June, 1859,

It was determined in the affirmative,	{	Yeas	31
		Nays	22

On motion by Mr. Crittenden,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Clay, Clingman, Crittenden, Davis, Dixon, Douglas, Fitzpatrick, Green, Gwin, Hammond, Harlan, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Mason, Polk, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Trumbull, Wright.

Those who voted in the negative are,

Messrs. Bell, Bright, Brown, Chandler, Clark, Collamer, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Johnson, of Tennessee, King, Mallory, Seward, Shields, Simmons, Stuart, Wade, Wilson, Yulee.

So the Senate resumed the consideration of the said bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th June, 1859.

On motion by Mr. Hunter, that the Senate reconsider the vote on his motion to postpone the prior orders for the purpose of considering said bill,

It was determined in the affirmative; and

The question being again put on the motion by Mr. Hunter to postpone the prior orders to consider the bill H. R. 201,

It was determined in the negative.

Mr. Jones reported from the Committee that they had examined and found duly enrolled the following bill and resolution:

S. 245. An act to authorize the settlement of the accounts of Luther Jewett, late collector of the district of Portland and Falmouth, in the State of Maine;

S. 2. A resolution to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the bill of the Senate (S. 38) for the relief of John R. Temple, of Louisiana.

The House of Representatives has passed the following bills and joint resolution ; in which it requests the concurrence of the Senate .

H. R. 221. An act for the relief of Mary Bainbridge ;

H. R. 224. An act for the relief of Stephen Bunnell ;

H. R. 232. An act for the relief of Margaret Whitehead ;

H. R. 250. An act for the relief of Pierre Gagnon, of Nachitoches, Louisiana ;

H. R. 254. An act for the relief of William Hutchenson ;

H. R. 256. An act for the relief of Oliver P. Hovey ;

H. R. 257. An act to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes ;

H. R. 260. An act for the relief of Isaac Carpenter ;

H. R. 261. An act for the relief of Leonard Loomis ;

H. R. 264. An act granting a pension to Thomas Allcock, of Rochester, New York ;

H. R. 272. An act for the relief of Brevet Major H. L. Kendrick ;

H. R. 273. An act for the relief of John F. Cannon ;

H. R. 327. An act for the relief of the legal representatives of Marie Malines ;

H. R. 332. An act for the relief of Richard B. Alexander ;

H. R. 334. An act for the relief of Simeon Stedman ;

H. R. 335. An act for the relief of Susannah Redman, widow of Lloyd Redman ;

H. R. 577. An act for the relief of Rebecca M. Bowden, of Prince George county, Virginia ;

H. R. 578. An act for the relief of Isaac Drew and other settlers upon public lands in the State of Wisconsin ;

H. R. 10. Joint resolution for the relief of General Sylvester Churchill.

The Speaker of the House of Representatives having signed an enrolled bill and an enrolled resolution, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bill (S. 245) and the enrolled resolution (S. 2) this day reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The bills this day received from the House of Representatives were severally read the first and second times, by unanimous consent.

Ordered, That the bills numbered 221, 224, 232, 257, 260, 261, and 264 be referred to the Committee on Pensions ; that the bills numbered 254, 332, 334, and 335 be referred to the Committee on Claims ; that the bills numbered 426, 577, and 578 be referred to the Committee on Public Lands ; that the bills numbered 250 and 327 be referred to the Committee on Private Land Claims ; that the bill numbered 272 and the joint resolution numbered 10 be referred to the Committee on Military Affairs and the Militia ; that the bill numbered 256 be referred to the Committee on Territories ; and that the

bill numbered 273 be referred to the Committee on Post Offices and Post Roads.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 64) to equalize the salaries of certain judges of the courts for the district of Columbia, and for other purposes.

On motion by Mr. Pearce,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed as in Committee of the Whole, the consideration of the bill (S. 182) for the enforcement of the mechanics' liens on buildings, and so forth, in the District of Columbia; and having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 168) to relieve the corporation of Georgetown from the expense of making and repairing roads west of Rock creek was read the second time, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 191) for the benefit of public schools in the city of Washington.

On motion by Mr. Johnson, of Tennessee, to amend the bill by striking out section two, line six, after the word "city," the following words: "and that whenever the Secretary of the Treasury shall be officially notified by the mayor that the said tax has been levied and collected, it shall be his duty to pay from the treasury of the United States, to the persons legally authorized to receive the school funds for the city of Washington, a sum equal to the amount thus raised by taxation: *Provided*, That not more than twenty thousand dollars per annum shall be paid by the United States, and that the payments shall continue for five years, unless Congress shall otherwise order,"

It was determined in the negative, { Yeas..... 13
Nays 26

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Davis, Fitzpatrick, Green, Harlan, Hunter, Iverson, Johnson, of Tennessee, Jones, Polk, Pugh, Rice, Sebastian, Slidell,

Those who voted in the negative are,

Messrs. Allen, Bigler, Bright, Broderick, Brown, Chandler, Cling-

man, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Houston, Kennedy, Mallory, Shields, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson Wright.

The bill having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas..... 26
Nays..... 13

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bigler, Bright, Broderick, Brown, Chandler, Clingman, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Houston, Kennedy, Mallory, Shields, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Davis, Fitzpatrick, Green, Harlan, Hunter, Iverson, Johnson, of Tennessee, Jones, Polk, Pugh, Rice, Sebastian, Slidell.

So it was

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills:

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory;

H. R. C. C. 65. An act for the relief of Benjamin L. McAtee and Isaac N. Eastham, of Louisville, Kentucky;

H. R. 222. An act for the relief of Elizabeth E. V. Field;

H. R. 231. An act for the relief of Nancy Serena;

H. R. 251. An act to authorize the claimants in right of John Huertas to enter certain lands in Florida;

H. R. 318. An act recognizing the assignment on land warrant No. 35,956, issued to John Davis, as valid;

H. R. 336. An act for the relief of B. W. Palmer and others; in which I am directed to request the concurrence of the Senate.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 227) authorizing the organization of a fire department in the District of Columbia; and, having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the secretary request the concurrence of the House of Representatives therein.

The bill (S. 241) respecting the manner of holding and transmitting the title to certain church property therein mentioned was read the second time, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 542) to authorize the vestry of Washington parish to take and inclose certain parts of streets in Washington city, for the purpose of extending the Washington cemetery, and for other purposes; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the resolution yesterday submitted by Mr. Rice; and having been amended, the resolution was agreed to, as follows:

Resolved, That the Committee on Military Affairs and the Militia, be instructed to investigate the charges preferred by certain citizens of Iowa, settlers upon the Fort Crawford reserve, as to the conduct of Henry M. Rice, special agent appointed by the Secretary of War to superintend the sale of that reserve; that said committee have power to send for persons and papers, and to report by bill or otherwise.

After the consideration of executive business,

The Senate adjourned.

MONDAY, MAY 17, 1858.

The bills received from the House of Representatives the 15th instant, for concurrence, were read the first and second times, by unanimous consent.

Ordered, That the bills numbered 222 and 231 be referred to the Committee on Pensions; that the bill numbered 56 be referred to the Committee on Military Affairs and the Militia; that the bill numbered 336 be referred to the Committee on Naval Affairs; that the bill numbered 318 be referred to the Committee on Public Lands; that the bill numbered 251 be referred to the Committee Private Land Claims; and that the bill numbered C. C. 65 be referred to the Committee on Claims.

Mr. Seward presented resolutions of the legislature of New York, in favor of a law granting pensions to the soldiers of the Indian wars from 1791 to 1795, and to the widows of those deceased.

Ordered, That they lie on the table and be printed.

Mr. Seward presented resolutions of the legislature of New York in relation to the public lands.

Ordered, That they lie on the table and be printed.

Mr. Seward presented resolutions of the legislature of New York, in favor of a donation of public land for the construction of a ship canal around the Falls of Niagara.

Ordered, That they lie on the table and be printed.

Mr. Seward presented resolutions adopted at a meeting of the board of trade at Oswego, New York, in favor of an appropriation for the repair of the pier in the vicinity of the light-house at that port.

Ordered, That they lie on the table.

Mr. Polk presented a petition of citizens of Missouri, praying that certain land offices in that State, about to be closed in pursuance of law, may be consolidated at St. Louis; which was referred to the Committee on Public Lands.

Mr. Seward submitted the following resolution for consideration:

Resolved, That the Committee on Foreign Relations be instructed to inquire whether any legislation is necessary to enable the President of the United States to protect American vessels against British aggression in the Gulf of Mexico or elsewhere, and to report by bill or otherwise.

On motion by Mr. Johnson, of Arkansas, that the report of the Commissioner of Patents, relating to agriculture, be printed,

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of Virginia Waldron, and that it be referred to the Committee on Pensions.

Mr. Broderick presented a memorial of citizens of California, remonstrating against the repeal of the law establishing the Light-house Board; which was referred to the Committee on Commerce.

Mr. Shields presented a memorial of the legislature of Minnesota, praying the establishment of a mail route from La Crosse to Winnebago city, in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Shields presented two petitions of citizens of Minnesota, praying the establishment of a mail route from St. Peter to Pajutazee, in that State; which were referred to the Committee on Post Offices and Post Roads.

Mr. Clay presented a petition of R. F. Blocker, E. J. Gurley, and J. F. Davis, licensed practitioners of law in Texas, praying compensation for defending Captain Anderson, his officers and men, who were arrested and tried for an alleged violation of the laws of Texas in executing an order of their superior officer; which was referred to the Committee on Military Affairs and the Militia.

Mr. Clingman asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 40) in favor of certain Cherokees; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Clingman asked and, by unanimous consent, obtained leave to bring in a bill (S. 369) to amend an act entitled "An act making ap-

appropriations for the current and contingent expenses of the Indian department," approved July 30, 1854; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Sebastian, from the Committee on Indian Affairs, to whom were referred resolutions of the legislature of California relative to the Sebastian reservation, reported that no legislation is necessary, and that the committee be discharged from the further consideration of the subject.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the bill (S. 323) to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of George J. Knight, submitted a report, (No. 259,) accompanied by a bill (S. 374) for the relief of George J. Knight.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of sundry papers relating to Indian superintendencies in Oregon and Washington Territories.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of Santiago E. Arguello, submitted a report, (No. 256,) accompanied by a bill (S. 370) for the relief of Guadalupe Estudillo de Arguello, widow of Santiago de Arguello.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Simmons, from the Committee on Claims, to whom was referred the petition of Anthony W. Bayard, submitted a report, (No. 257,) accompanied by a bill (S. 371) for the relief of Anthony W. Bayard.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Doolittle asked and, by unanimous consent, obtained leave to bring in a bill (S. 372) to settle the titles to certain lands belonging to the half-breed Kansas Indians in Kansas Territory; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Clark, from the Committee on Claims, to whom were referred a report of the Court of Claims in the case of Robert Harrison; a report of the Court of Claims in the case of Letitia Humphreys; and a memorial of Letitia Humphreys, administratrix of Andrew Atkinson, deceased, Robert Harrison and others, submitted a report, (No. 258,) accompanied by a bill (S. 373) declaratory of the acts for carrying into effect the ninth article of the treaty of 1819 between the United States and Spain.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bigler, from the Committee on Post Offices and Post Roads, to whom was referred the joint resolution (H. R. 26) authorizing the

arrangement and disposal of public buildings in the city of Philadelphia, reported it with an amendment.

The bill (S. 180) to amend the several acts now in force in relation to the Patent Office was read the second time and considered as in Committee of the Whole.

On motion by Mr. Yulee,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the resolution submitted by Mr. King on the 15th instant, relative to certain frauds upon the revenue by a partner of a commercial house at New Orleans; and

The resolution was agreed to.

Mr. Foster, from the Committee on Pensions, to whom were referred the petition of Joseph Morrow, the memorial of Ebenezer Watson, the memorial of Lydia Weeks, and the petition of John Drout, reported adversely thereon, and that the committee be discharged from the further consideration thereof.

Mr. Foster, from the Committee on Pensions, to whom were referred the petition of Anna Addison and the memorial of Sarah A. Watson, reported that the committee be discharged from the further consideration of the petition and memorial, and that they lie on the table.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 542) to authorize the vestry of Washington parish to take and inclose certain parts of streets in Washington city for the purpose of extending the Washington cemetery, and for other purposes.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a joint resolution (H. R. 30) for paying the compensation of stenographers employed by the committees of the House of Representatives; in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled bills, (S. 38 and H. R. 542,) I am directed to bring them to the Senate for the signature of its President.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 38) for the relief of John R. Temple, of Louisiana.

The Vice President signed the two enrolled bills, (S. 38 and H. R. 542,) and they were delivered to the committee to be presented to the President of the United States.

On motion by Mr. Johnson, of Arkansas,

Ordered, That leave be granted to withdraw the papers relating to the claim of Peay and Ayliffe and the petition and papers of William Moss.

Mr. Clay submitted the following resolution for consideration:

Resolved, That the Secretary of War be requested to communicate to the Senate the papers filed in the department in support of the claims of Blocker & Gurley and James F. Davis, counsel employed in the defence of Lieutenant Anderson and his detachment, arrested by

the civil authorities of Texas while in the discharge of their official duties, under the orders of General Harney.

On motion by Mr. Hamlin,

Ordered, That the bill (S. 364) to improve the channel of the Potomac river in the District of Columbia be printed.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 82) to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or mixed-bloods of the Dacotah or Sioux nation of Indians, and for other purposes," approved 17th July, 1854; and

On motion by Mr. Stuart,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Doolittle asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 41) amendatory of an act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856, so far as relates to such as shall die during their terms of service; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 375) to create two additional land districts in the Territory of Washington; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

On motion by Mr. Gwin,

Ordered, That leave be granted to withdraw the petition and papers of John Brown.

On motion by M. Hunter,

Ordered, That the prior orders of the day be postponed and that the Senate consider the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859.

Mr. Brown withdrew the amendment to enable John C. Rives to make certain payments to the reporters of the Senate.

Mr. Brown, from the Committee on the District of Columbia, moved to amend the bill by inserting, after line 137—

To enable John C. Rives to pay to the reporters of the Senate the usual extra compensation for the third session of the 34th Congress, eight hundred dollars each, \$3,200.

To enable John C. Rives to pay to the reporters of the Senate the usual extra compensation for the first session of the 35th Congress, eight hundred dollars each, \$3,200.

To enable John C. Rives to pay to the reporters of the Senate the usual extra compensation for the second session of the 35th Congress, eight hundred dollars each, \$3,200.

Mr. Toombs raised a question of order, whether the amendment could, under the 30th rule, be made from a committee to whom the subject-matter had not been referred.

The Vice President decided that, being moved by the direction of a standing committee, the amendment was in order.

On motion by Mr. Pugh, to amend the amendment by striking out the words "To enable John C. Rives" where they occur in the several paragraphs,

It was determined in the affirmative.

On the question to agree to the amendment as amended,

It was determined in the affirmative.

On motion by Mr. Trumbull, to reconsider the vote agreeing to the said amendment,

It was determined in the negative.

On motion by Mr. Toombs, to amend the bill by striking out the following clause as amended:

"For the usual additional compensation to the reporters for the Congressional Globe for reporting the proceedings of the House of Representatives for the next regular session of the thirty-fifth Congress, eight hundred dollars to each reporter, four thousand dollars.

"To pay to the reporters of the Senate the usual extra compensation for the third session of the 34th Congress, eight hundred dollars each, \$3,200.

"To pay to the reporters of the Senate the usual extra compensation for the first session of the 35th Congress, eight hundred dollars each, \$3,200.

"To pay to the reporters of the Senate the usual extra compensation for the second session of the 35th Congress, eight hundred dollars each, \$3,200;"

It was determined in the negative, { Yeas..... 20
Nays 31

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bright, Clay, Clingman, Crittenden, Davis, Fitzpatrick, Hammond, Henderson, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Polk, Rice, Slidell, Toombs, Trumbull, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bigler, Broderick, Brown, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Green, Hamlin, Harlan, Houston, Jones, Kennedy, King, Mallory, Sebastian, Seward, Shields, Simmons, Stuart, Sumner, Wilson, Wright.

On motion by Mr. Bayard, from the Committee on the Judiciary, to amend the bill by inserting, after line 757:

Provided, That the Attorney General shall have power, in place of the clerks now employed in his office, to employ two assistant counsel, with a salary to each of three thousand dollars, and two clerks with a salary of sixteen hundred dollars each;

It was determined in the negative, { Yeas..... 18
Nays 29

On motion by Mr. Foster,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Cling-

man, Green, Gwin, Hammond, Iverson, Jones, Rice, Sebastian, Sli-dell, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Clay, Collamer, Crittenden, Davis, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hamlin, Harlan, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

On motion by Mr. Davis, to amend the bill by inserting, after the word "dollars," in line 574, the words:

And the compensation of superintendent may be allowed to the clerk who has performed, or may hereafter perform, the duties of that office; the allowance to be made to such superintendent, with his salary as clerk, not to exceed two thousand dollars;

It was determined in the affirmative.

No further amendment being made,

Ordered, That the amendments be engrossed, and the bill read a third time.

The said bill was read a third time, as amended.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, MAY 18, 1858.

The joint resolution (H. R. 30) for paying the compensation of stenographers employed by committees of the House of Representatives was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. King presented a petition of business men of the northwestern lakes, praying that an appropriation may be made for the purpose of ascertaining whether Professor Ballot's rule by which the approach of storms may be foretold is applicable to the lakes; which was referred to the Committee on Naval Affairs.

Mr. Trumbull presented a memorial of J. H. Langly and others, citizens of Illinois, praying the recognition of their pre-emption claims to lands in the late military reservation on Rock island, Illinois; which was referred to the Committee on Public Lands.

Mr. Pearce presented the memorial of Michael Nourse, praying compensation for certain services rendered by direction of the First Comptroller of the Treasury; which was referred to the Committee on Claims.

Mr. Pearce presented the memorial of Hiram McCullough, praying to be released from his suretyship on the contract of S. A. West and G. McCullough for the delivery of stone at the Gosport navy yard; which was referred to the Committee on Naval Affairs.

Mr. Wright presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers; which was referred to the Committee on Public Lands.

Mr. Shields submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Post Offices and Post Roads be, and they are hereby, instructed to inquire into the expediency of establishing mail routes from Clear Lake, by Clear Water and Fair Haven, to Forest city, in the State of Minnesota ; from Faribault, Rice county, via Swaresey and Josco, to Mankato, in Blue Earth county, in the State of Minnesota ; from Owatanna, via Clear Lake and Josco, to Mankato ; and from Austin, via Geneva, Berlin, Otisco, Wilton, Josco, to St. Peter, in the State of Minnesota ; from Red Wing, via Sacramento, Wanamingo, and Rice Lake, to Owatona, in the State of Minnesota ; from Cannon's Falls, via Wastedo, Hader, Wanamingo, Cherry Grove, and Concord, to Montorville, in the State of Minnesota.

The Senate proceeded to consider the resolution submitted yesterday by Mr Seward, in relation to British aggressions upon American vessels in the Gulf of Mexico ; and

The resolution was agreed to.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 42) for the adjustment of difficulties with the republics of New Grenada, Central America, and Mexico ; which was read the first and second times, by unanimous consent, and referred to the Committee on Foreign Relations.

Mr. Shields asked and, by unanimous consent, obtained leave to bring in a bill (S. 376) to provide for the payment of expenses arising from Indian hostilities in the State of Minnesota ; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Bayard,

Ordered, That a member be appointed to fill the vacancy in the Committee on the Judiciary, and that the appointment be made by the Vice President ; and

Mr. Sebastian was appointed.

Mr. Bigler, from the Committee on Post Offices and Post Roads, to whom was referred the petition of John Wightman, submitted an adverse report, (No. 260 ;) which was ordered to be printed.

On motion by Mr. Yulee,

Ordered, That the Committee on Post Offices and Post Roads be discharged from the further consideration of the joint resolution (S. 36) explanatory of an act entitled "An act for the relief of George Chorpenning, jr.," approved March 3, 1857 ; the petition of George Chorpenning, and the presentment of the grand jury of the United States for the northern district of Florida, and that they be referred to the Committee on the Judiciary.

On motion by Mr. Yulee,

Ordered, That the Committee on Post Offices and Post Roads be discharged from the further consideration of the petition of citizens of Michigan relative to the construction of certain wagon roads in that State, and the papers relating to the adoption of Oliver Evan Wood's plan for the delivery of letters in California and in Oregon and Washington Territories.

Mr. Johnson, of Arkansas, from the Committee on Printing, to

whom was referred a motion to print the memorial of Tal. P. Shaffner, reported that the memorial be printed without the map; and

The report was agreed to.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the memorial of T. P. Shaffner, and that it be referred to the Committee on Post Offices and Post Roads.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President relative to the seizure by the Chilian authorities of the proceeds of the cargo of the brig Macedonian, owned by citizens of the United States, reported in favor of printing the same; and

The report was agreed to.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the petition of the children of Stephen Krebs, reported that the committee be discharged from the further consideration of the petition.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the memorial of Madison Sweetser, reported a bill (S. 377) for the relief of Madison Sweetser; which was read and passed to a second reading.

On motion by Mr. Douglas,

Ordered, That Cyrus H. McCormick have leave to withdraw two original patents, dated June 21, 1834, and January 31, 1845, filed with his memorial.

The bill (S. 294) for the relief Lemuel Worster was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 287) for the relief of Sherlock and Shirley was read the second time and considered as in Committee of the Whole; and,

An amendment being proposed by Mr. Benjamin,

After debate,

On motion by Mr. Douglas,

Ordered, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 314) for the prevention and punishment of frauds in land titles in California; and it has passed the bill of the Senate (S. 312) to provide for the collection and safe keeping of public archives in the State of California, with an amendment, in which it requests the concurrence of the Senate.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 312) last mentioned; and

On motion by Mr. Bayard,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Jones reported from the committee that they, this day, presented to the President of the United States the following enrolled bills and joint resolution :

S. 38. An act for the relief of John R. Temple, of Louisiana ;

S. 245. An act to authorize the settlement of the accounts of Luther Jewett, late collector of the district of Portland and Falmouth, in the State of Maine ;

H. R. 542. An act to authorize the vestry of Washington parish to take and inclose certain parts of streets in Washington city for extending the Washington cemetery, and for other purposes ;

S. 2 Resolution to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California.

A message from the President of the United States, by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the following acts and resolution :

S. 38. An act for the relief of John R. Temple, of Louisiana ;

S. 245. An act to authorize the settlement of the accounts of Luther Jewett, late collector of the district of Portland and Falmouth, in the State of Maine ;

S. 2. Resolution to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bright presented affidavits of C. K. Drew, R. D. Slater, and W. J. Cullen, evidence in the case of the contested election of the Hon. Jesse D. Bright and the Hon. Graham N. Fitch, as senators from the State of Indiana ; which were referred to the Committee on the Judiciary.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bills :

S. 82. An act to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or mixed-bloods of the Dacotah or Sioux nation of Indians, and for other purposes ;"

S. 312. An act to provide for the collection and safe keeping of the public archives in the State of California ;

S. 314. An act for the prevention and punishment of frauds in land titles in California.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed sundry enrolled bills, (S. 82, S. 312, and S. 314,) I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the three enrolled bills (S. 82, S. 312,

and S. 314,) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

On motion by Mr. Douglas, to postpone the special orders of the day prior to the bill (S. 239) for the admission of Oregon into the Union,

The yeas were 28 ; the nays 28.

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Houston, Jones, King, Rice, Seward, Shields, Simmons, Stuart, Sumner, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Crittenden, Davis, Fitzpatrick, Green, Hammond, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Toombs, Trumbull, Wright, Yulee.

The Senate being equally divided,

The Vice President decided the question in the affirmative.

So the Senate proceeded to consider, as in Committee of the Whole, the bill (S. 239) for the admission of Oregon into the Union.

On motion by Mr. Johnson, of Tennessee, that the further consideration of the bill be postponed,

It was determined in the negative, { Yeas..... 8
Nays..... 45

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Chandler, Durkee, Hale, Henderson, Johnson, of Tennessee, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Clark, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Doolittle, Douglas, Fessenden, Fitzpatrick, Foot, Foster, Green, Gwin, Hamlin, Hammond, Harlan, Houston, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Rice, Sebastian, Seward, Shields, Simmons, Slidell, Stuart, Sumner, Wilson, Wright, Yulee.

On motion by Mr. Trumbull, that the further consideration of the bill be postponed until the first Monday in December next,

It was determined in the negative, { Yeas..... 16
Nays 38

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Chandler, Clay, Crittenden, Durkee, Fessenden, Fitzpatrick, Hale, Hamlin, Hammond, Hunter, Iverson, Kennedy, Mason, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bigler, Bright, Broderick, Brown, Cameron, Clingman, Collamer, Davis, Dixon, Doolittle, Douglas, Foot, Foster, Green, Gwin, Harlan, Henderson, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mallory, Polk, Pugh, Sebastian, Seward, Shields, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wilson, Wright, Yulee.

The bill having been amended, was reported to the Senate; and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

On the question, "Shall the bill pass?"

It was determined in the affirmative, { Yeas..... 35
Nays..... 17

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clingman, Collamer, Dixon, Doolittle, Douglas, Foot, Foster, Green, Gwin, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Polk, Pugh, Sebastian, Seward, Shields, Simmons, Slidell, Stuart, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Clay, Crittenden, Davis, Durkee, Fessenden, Fitzpatrick, Hale, Hamlin, Hammond, Henderson, Hunter, Iverson, Kennedy, Mason, Trumbull, Wade.

So it was

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 152) to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas, together with the amendment reported thereto.

On the question to agree to the reported amendment, viz:

At the end of the third section insert:

Provided, That the person or persons appointed and employed on the part and behalf of Texas are to be paid by the said State: *Provided*, further, That no persons shall be appointed or employed in this service by the United States but such as are required to make the necessary observations and surveys to ascertain such line and erect suitable monuments thereon and make return of the same.

It was determined in the affirmative, { Yeas..... 30
Nays..... 15

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Brown, Chandler, Clark, Crittenden, Dixon, Fessenden, Foot, Foster, Green, Hale, Hamlin, Harlan, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, King, Polk, Pugh, Rice, Sebastian, Seward, Shields, Simmons, Slidell, Toombs, Wade.

Those who voted in the negative are,
Messrs. Broderick, Cameron, Clay, Clingman, Davis, Fitzpatrick, Gwin, Hammond, Henderson, Kennedy, Mason, Stuart, Thomson, of New Jersey, Wright, Yulee.

No further amendment being proposed, the bill was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (S. 7) directing the presentation of a medal to Commodore Hiram Paulding.

On motion by Mr. Slidell,

Ordered, That the further consideration thereof be postponed, and be the special order of the day in connexion with the bill (S. 85) supplementary to the act entitled "An act in addition to the act for the punishment of certain crimes against the United States and to repeal the acts therein mentioned," approved April 20, 1818, and the report made by the Committee on Foreign Relations (No. 20) on the subject.

After the consideration of executive business,
The Senate adjourned.

WEDNESDAY, MAY 19, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary:

WASHINGTON CITY, May 18, 1858.

SIR: In reply to the resolutions of the Senate of the United States of the 20th February and 14th March, 1857, I herewith transmit, to be laid before that body, copies of all correspondence, vouchers, and other papers, having reference to the accounts of Edward F. Beale, esq., late superintendent of Indian affairs in California, which are of file or record in the Departments of the Treasury and Interior.

JAMES BUCHANAN.

Hon. J. C. BRECKINRIDGE,

Vice President of the United States.

The message was read.

Ordered, That it lie on the table.

On motion by Mr. Gwin, that the message be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Seward presented resolutions of the legislature of New York against the enactment of any law which may remove the charge of the light-house system from the custody of the present board.

Ordered, That they lie on the table and be printed.

Mr. Seward presented resolutions of the legislature of New York, in favor of the Pacific railroad bill introduced by the honorable John S. Phelps, of Missouri, in the House of Representatives.

Ordered, That they lie on the table and be printed.

Mr. Seward presented a petition of citizens of New York, praying that a pension may be granted to Polly Egbertson, widow of a soldier in the war of the revolution ; which was referred to the Committee on Pensions.

Mr. Green presented two petitions of citizens of Missouri, remonstrating against any change in the application of the proceeds of the lands granted to Iowa for the improvement of the Des Moines river ; which were referred to the Committee on Public Lands.

Mr. Iverson presented a memorial of R. C. Jones, a master in the navy, who was placed on the furlough list by the late board of naval officers, and subsequently transferred to leave of absence pay on the reserved list, praying to be allowed the difference between furlough pay and that of leave of absence ; which was referred to the Committee on Claims.

Mr. Bigler presented a memorial of presidents of marine insurance companies, composing the Board of Marine Underwriters of Philadelphia, praying that an appropriation may be made for the construction of a breakwater on Crow shoal, in the Delaware bay.

Ordered, That it lie on the table.

Mr. Shields presented a petition of William B. Herrick, a surgeon in the army during the war with Mexico, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Iverson presented a petition of Charles M. Perry, praying compensation for services as a clerk in the office of the Treasurer of the United States ; which was referred to the Committee on Claims.

Mr. Doolittle submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President be requested to communicate to the Senate all correspondence, instructions, and orders, not heretofore communicated to either branch of Congress, connected with the arrest of William Walker and his associates, by the naval forces under the command of Commodore Paulding, including all the correspondence between him and the Navy Department since the arrest of Walker in relation thereto, or in relation to the property or persons seized by the forces under his command, and including, also, copies of any letters, orders, or instructions, if any, addressed to Commodore Paulding, which may have been subsequently withdrawn from him by the Navy Department, and the reasons for such withdrawal.

Mr. King submitted the following resolution for consideration :

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire whether the Post Office laws authorize a postmaster to refuse to deliver letters to a person authorized to receive them by the persons to whom the letters are addressed, and whether any legislation is required on this subject, and to report by bill or otherwise.

Mr. Pugh submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President of the United States be requested to inform the Senate whether any efforts have been made or authorized by the executive department, or any officer thereof, to induce the government of Mexico to annul or impair the grant of February 5, 1853, for the construction of a plank road and railroad across the Isthmus

of Tehuantepec, as recognized in the treaty published at Washington on the 30th of June, 1854, and to obtain a new grant of the same or like character for other parties; and if so, that he communicate the names of those parties, together with the terms, conditions, and considerations of the grant, and all the correspondence connected therewith. Also, that the President be requested to inform the Senate whether any contract for transporting the mails, troops, or munitions of war of the United States across the Isthmus of Tehuantepec has been made or is now in course of negotiation; and if so, that he communicate a copy of such contract or proposition, with all the correspondence and papers relating to that subject.

On motion by Mr. Brown,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the memorial of the trustees of the Columbian College, and that it be referred to the Committee on Public Lands.

Mr. Hamlin asked and, by unanimous consent, obtained leave to bring in the following bills:

S. 378. A bill to enable the Columbian College in the District of Columbia to found and establish a professorship of agriculture and mechanical science and to complete her endowment fund, and for the benefit of the public schools of Washington, D. C.;

S. 379. A bill to enable the Columbian College in the District of Columbia to found and establish a professorship of agriculture and mechanical science and to complete her endowment fund, and for the benefit of the public schools of Washington, D. C.

The said bills were read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Mason, from the Committee on Foreign Relations, submitted an adverse report on the claim of Samuel Bromberg.

On motion by Mr. Mason,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of two petitions of citizens of Maine, in relation to the boundary line between the United States and the province of New Brunswick.

Mr. King, from the Committee on Pensions, to whom was referred the petition of Cynthia Coney, reported adversely thereon, and that he Committee be discharged from the further consideration thereof.

Mr. King, from the Committee on Pensions, to whom was referred the petition of Mary E. Larnard, reported adversely thereon, and that the committee be discharged from the further consideration thereof.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the joint resolution (S. 36) explanatory of an act entitled "An act for the relief of George Chorpenning, jr.," approved March 3, 1857, and the petition of George Chorpenning, and that they be referred to the Committee on Post Offices and Post Roads.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred a presentment of the grand jury of the United States for the northern district of Florida, reported that the committee be discharged from the further consideration thereof.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the papers relating to the claim of J. M. Pommares, and that they be referred to the Committee on Claims.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the petition of George Chorpenning, submitted an adverse report thereon.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the Committee on Post Offices and Post Roads be discharged from the further consideration of the memorial of Tal. P. Schaffner, and that it be referred to the Committee on the Judiciary.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 318) for the relief of Keep, Bard & Co., J. Caulfield, and Joseph Landis & Co., and that it be referred to the Committee on Post Offices and Post Roads.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the memorial of George M. Weston, commissioner of the State of Maine, submitted a report, (No. 261,) accompanied by a bill (S. 380) to provide for the payment of the claims of the State of Maine for expenses incurred by that State in organizing a regiment of volunteers for the Mexican war.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 272) for the relief of Brevet Major H. L. Kendrick, reported it without amendment.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (H. R. 225) to increase the pension of John Richmond, reported it without amendment and submitted a report, (No. 262;) which was ordered to be printed.

The Senate proceeded to consider the resolution submitted by Mr. Clay the 17th instant, in relation to the claims of Blocker & Gurley and James F. Davis; and

The resolution was agreed to.

Mr. Benjamin, from the Committee on Private Land Claims, to whom were referred the following bills:

H. R. 214. An act for the relief of Regis Loisel, or his legal representative;

H. R. 250. An act for the relief of Pierre Gagnon, of Natchitoches, Louisiana;

H. R. 327. An act for the relief of the legal representatives of Marie Malines; reported them without amendment.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 317) for the relief of Thomas L. Disharoon, reported it without amendment.

Mr. Benjamin, from the Committee on the Judiciary, who were instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 381) to provide for the taking of private property

for public use, after allowing just compensation therefor; which was read and passed to a second reading.

Mr. Benjamin, from the Committee on the Judiciary, to whom was referred a communication of E. E. Blackburn, reported a bill (S. 382) to amend the existing laws relative to the compensation of the district attorneys, marshals, and clerks of the circuit and district courts of the United States; which was read and passed to a second reading.

The Senate proceeded to consider the resolution submitted by Mr. Iverson the 11th instant, fixing the hour of one o'clock for proceeding to the consideration of the special order; and

The resolution was agreed to.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills:

S. 82. An act to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or mixed-bloods of the Dacotah or Sioux nation of Indians, and for other purposes," approved July 17, 1854;

S. 312. An act to provide for the collection and safe-keeping of the public archives in the State of California;

S. 314. An act for the prevention and punishment of frauds in land titles in California.

A message from the President of the United States by Mr. Henry, his secretary:

Mr. President: The President of the United States this day approved and signed the following acts:

S. 82. An act to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or mixed-bloods of the Dacotah or Sioux nation of Indians; and for other purposes," approved July 17, 1854;

S. 312. An act to provide for the collection and safe keeping of the public archives in the State of California;

S. 314. An act for the prevention and punishment of frauds in land titles in California.

Ordered, That the Secretary notify the House of Representatives thereof.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

In answer to the resolution of the Senate of the 14th instant, requesting information concerning the recent search or seizure of American vessels by foreign armed cruisers in the Gulf of Mexico, I transmit reports from the Secretaries of State and of the Navy.

JAMES BUCHANAN.

WASHINGTON, May 19, 1858.

The message was read.

On motion by Mr. Mason,

Ordered, That it be referred to the Committee on Foreign Relations and be printed.

The Vice President laid before the Senate a report of the Secretary of the Treasury relative to the present condition of the finances of the government; which was read.

Ordered, That it be referred to the Committee on Finance and be printed.

Mr. Polk presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots of limited size for the free and exclusive use of actual settlers.

Ordered, That it lie on the table.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the report of the Secretary of War relative to the purchase of Lime Point, in California, for military uses, submitted a report thereon.

The Senate proceeded, by unanimous consent, to consider the report; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the subject.

On motion by Mr. Stuart, that the Senate proceed to the consideration of the bill (H. R. 2) donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,

It was determined in the affirmative, { Yeas 28
Nays 24

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bright, Broderick, Cameron, Chandler, Clark, Crittenden, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Kennedy, King, Pearce, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Hammond, Henderson, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Sebastian, Shields, Slidell, Toombs, Yulee.

So the Senate proceeded to consider the said bill, as in Committee of the Whole.

The hour having arrived for the consideration of the special order of the day,

A motion was made by Mr. Stuart, that the consideration of the special order of the day be postponed, with the view of continuing the consideration of the bill (H. R. 2) which had been taken up,

It was determined in the negative, { Yeas 26
Nays 29

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Cameron, Chandler, Clark, Crittenden, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Houston, King, Pearce, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Hammond, Henderson, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Polk, Pugh, Rice, Sebastian, Shields, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Seward, that the consideration of the special order of the day be postponed, with the view of considering bill (S. 341) making appropriations for repairing and securing the works at the harbor of Chicago, Illinois,

It was determined in the negative, { Yeas..... 22
Nays 34

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Clark, Crittenden, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pearce, Seward, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Rice, Sebastian, Shields, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 10) repealing all laws or parts of laws, allowing bounties to vessels employed in the Bank or other cod fisheries.

The question of order, raised by Mr. Hunter, in relation to the amendment proposed by Mr. Allen, was withdrawn by Mr. Hunter.

The following amendment, proposed by Mr. Allen, being under consideration :

SEC. 2 *And be it further enacted, That all duties on salt imported into the United States from and after the 31st of December, 1859, be, and the same are hereby, repealed.*

A motion was made by Mr. Trumbull to amend the same by inserting, after " salt," *and sugar* ; and

It was determined in the negative, { Yeas..... 20
Nays 37

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Doolittle, Douglas, Durkee, Fessenden, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, Jones, King, Seward, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Fitzpatrick, Foot, Gwin, Hammond, Henderson, Hunter, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Shields, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright, Yulee.

On the question to agree to the amendment proposed by Mr. Allen,

It was determined in the negative, { Yeas 18
Nays 41

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Broderick, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Hamlin, Harlan, Houston, Johnson, of Tennessee, Jones, King, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Bayard, Bell, Benjamin, Bigler, Bright, Brown, Cameron, Clark, Clay, Clingman, Crittenden, Davis, Fitzpatrick, Foot, Foster, Green, Gwin, Hale, Hammond, Henderson, Hunter, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Seward, Shields, Simmons, Slidell, Sumner, Thomson, of New Jersey, Toombs, Wilson, Wright, Yulee.

The bill having been amended, was reported to the Senate,

On the question to concur in the following amendment, made as in Committee of the Whole, viz: strike out “— day of — next” and insert, *the thirty-first day of December, eighteen hundred and fifty-nine.*

On motion by Mr. Wilson, to amend the amendment by striking out “eighteen hundred and fifty-nine,” and inserting *eighteen hundred and sixty-two,*

It was determined in the negative, { Yeas 26
Nays 30

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Shields, Simmons, Stuart, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Douglas, Fitzpatrick, Gwin, Hammond, Henderson, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

The amendment was then concurred in; and

The amendments made in Committee of the Whole having been concurred in,

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

On the question, “Shall this bill pass?”

It was determined in the affirmative, { Yeas 30
Nays 25

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Douglas, Fitzpatrick, Gwin, Hammond, Henderson,

Hunter, Iverson, Johnson, of Arkansas, Johnson of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Broderick, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Seward, Shields, Simmons, Stuart, Sumner, Wade, Wilson.

On motion, the title was amended.

Resolved, That this bill pass, and that the title thereof be: "An act repealing all laws, or parts of laws, granting allowances or bounties to vessels employed in the Bank or other cod fisheries."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 25) to grant to every person who is the head of a family, and a citizen of the United States, a homestead of one hundred and sixty acres of land out of the public domain, upon condition of occupancy and cultivation of the same for the period herein specified, and having been amended, and a further amendment being proposed,

On motion by Mr. Mason,
The Senate adjourned.

THURSDAY, MAY 20, 1858.

Mr. Hammond presented the credentials of the honorable Arthur P. Hayne, appointed a Senator by the governor of South Carolina, to fill the vacancy occasioned by the death of the honorable Josiah J. Evans.

The credentials were read; and the oath prescribed by law was administered to Mr. Hayne, and he took his seat in the Senate.

Mr. Iverson presented a memorial of the State of Georgia, praying that the money expended by that State in the payment of troops for the protection of the frontiers of said State from hostile incursions by the Indians, between the years 1793 and 1818, may be refunded; which was referred to the Committee on Military Affairs and the Militia.

Mr. Polk presented a memorial of the Chamber of Commerce of St. Louis, Missouri, praying that the remainder of the lands granted to Iowa for the improvement of the Des Moines river may be applied to the Keokuk, Fort Des Moines, and Minnesota Railroad; which was referred to the Committee on Public Lands.

Mr. Houston presented a memorial of the executive board of the American Indian Aid Association, in the city of New York, praying that such laws may be passed as will protect and improve the Indian tribes in the United States; which was referred to the Committee on Indian Affairs.

On motion by Mr. Houston, that the memorial be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Seward asked and, by unanimous consent, obtained leave to

bring in a bill (S. 383) for the relief of Myra Clark Gaines; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Clingman asked and, by unanimous consent, obtained leave to bring in a bill (S. 384) to regulate the rates of postage to and from foreign countries; which was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the bill (S. 230) for the relief of the legal representatives of Daniel Hay, deceased, reported it without amendment and submitted a report, (No. 263;) which was ordered to be printed.

Mr. Thomson, of New Jersey, from the Committee on Naval Affairs, to whom was referred the petition of John C. Carter, reported a joint resolution (S. 43) for the relief of Lieutenant John C. Carter; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (S. 339) granting a pension to Joseph Vance, reported it without amendment and submitted an adverse report, (No. 264;) which was ordered to be printed.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Eliphalet Lyman, and that it be referred to the Committee on Public Lands.

Mr. Jones submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia, be instructed to inquire into the expediency of providing for the engraving and publishing a map of the explorations of Lieutenant Warren in Nebraska Territory.

Mr. Slidell submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to inform the Senate whether, in his opinion, it be expedient to convert any portion of the arms of the United States now on hand into breech-loading arms, and of the advantage to be derived from such change, the probable cost thereof for rifles and muskets, and if any and what appropriation be necessary for that purpose.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 564) to create a land district in the Territory of New Mexico, reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 318) recognizing the assignment on land warrant No. 35,956, issued to John Davis, as valid, reported it without amendment.

Mr. Clay, from the Committee on Commerce, to whom were referred a memorial of the legislature of Minnesota, praying that an appropriation may be made for the improvement of the St. Croix river; a memorial of the legislature of Minnesota, praying that an appropriation may be made for the removal of the Beef Slough bar, in the Mississippi river; a memorial of the legislature of Minnesota, praying that an appropriation may be made for the improvement of the Mississippi from the mouth of the Minnesota river to Sauk rapids; a resolution of the legislature of California, in favor of the construction of a breakwater at San Luis Obispo, in that State; a report of the Secretary of War, in relation to surveys of the Potomac river in the vicinity of Washington; a report of the Secretary of War, communicating estimates for the improvement of certain harbors on Lake Erie; reported adversely thereon.

Mr. Clay, from the Committee on Commerce, to whom were referred a resolution respecting the importation of foreign criminals and paupers into the United States; a memorial of John H. Litchfield and others, light-house keepers, for increase of salary; two petitions of business men of the northwestern lakes, asking for an appropriation to test the applicability of Professor Ballot's theory of storms to the lakes; a memorial of Daniel F. Tiemann and others, in relation to a plan for the sanitary improvement of the city of New York; resolutions of the legislature of New Jersey, in favor of the restoration of the ports of Jersey City and Camden to that State, and, if necessary of making them ports of entry; also, of establishing ports of entry at Tom's river and Atlantic city, and a modification of the laws relating to the coasting trade; resolutions of the Chamber of Commerce at Charleston, South Carolina, in favor of the vigorous prosecution of the coast survey; reported that the committee be discharged from the further consideration thereof.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 251) to authorize the claimants in right of John Huertas, to enter certain lands in Florida, reported it without amendment.

Mr. Green, from the Committee on the Judiciary, who were instructed by a resolution of the Senate to inquire into the expediency of conferring additional powers on the United States district courts in California, in certain cases, submitted an adverse report thereon, (No. 267;) which was ordered to be printed.

Mr. Hamlin, from the Committee on Commerce, to whom was referred the bill (S. 141) to establish a port of entry at Tom's river, New Jersey, reported it with an amendment.

Mr. Johnson, of Arkansas, from the Committee on Military Affairs and the Militia, to whom was referred the petition of Marie Genand, sole heir of John Hudry, submitted a report, (No. 265,) accompanied by a bill (S. 385) for the relief of the heirs or legal representatives of Jean Hudry.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Houston presented a memorial of the American Board of Commissioners for Foreign Missions, praying to be released from the condition of the fourth article of the Cherokee treaty made at New Echota, December 29, 1835 ; which was referred to the Committee on Indian Affairs.

Mr. Harlan, from the Committee on Public Lands, to whom was referred a memorial of the legislature of Iowa, reported a bill (S. 386) to amend " An act granting lands to the Territory of Iowa, to aid in the improvement of the Des Moines river in said Territory ;" which was read and passed to a second reading.

Mr. Bright, from the Committee on Public Buildings and Grounds, to whom was referred the petition of A. G. Carothers and others, citizens of Washington, submitted an adverse report thereon.

Mr. Bright presented the petition of P. J. Hickey, praying the payment of a sum of money due him under an agreement between him and the United States, and indemnity for losses occasioned by a breach of said agreement on the part of the United States ; which was referred to the Committee on Claims.

Mr. Pugh asked and, by unanimous consent, obtained leave to bring in a bill (S. 387) for the better regulation of sales and entries of the public lands, and to limit the fees of registers and receivers at the several land offices ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Polk, from the Committee on Foreign Relations, to whom was referred the memorial of the heirs of John Forsyth, submitted a report, (No. 266,) accompanied by a bill (S. 388) for the relief of the legal representatives of the late John Forsyth.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Doolittle, from the Committee on Indian Affairs, to whom was referred the petition of James B. Thomas, and a memorial of the legislature of Iowa in his behalf, reported, that the committee be discharged from the further consideration thereof, and submitted a report, (No. 268 ;) which was ordered to be printed.

Mr. Hammond presented the petition of Clark Mills, praying an amendment of the act of Congress of June 25, 1853, authorizing the erection of an equestrian statue of Washington ; which was referred to the Committee on Public Buildings and Grounds.

Mr. Collamer asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 44) to grant to the judges and solicitor of the Court of Claims the use of the Congressional library, and for other purposes ; which was read and passed to a second reading.

On motion by Mr. Douglas,

Ordered, That the Committee on Territories be discharged from the

further consideration of the joint resolution (S. 23) to authorize a change of location of the South Pass wagon road, for the purpose of giving greater security and protection to emigrant travel, and that it be referred to the Committee on Military Affairs and the Militia.

Mr. Johnson, of Arkansas, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia be instructed to inquire into the propriety and expediency of marking and opening a route for a wagon road on or near the 35th parallel of latitude, from Fort Smith, on the Arkansas river, to Albuquerque, in New Mexico.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 389) providing for the allotment of lands to certain New York Indians, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

The Senate proceeded to consider the resolution, submitted yesterday by Mr. King, in relation to the refusal of postmasters to deliver letters to persons authorized by the parties to whom they are addressed to receive the same; and

The resolution was agreed to.

On motion by Mr. Mason,

The motion, yesterday submitted by him from the Committee on Foreign Relations, in relation to the claim of Samuel Bromberg, was reconsidered.

On motion by Mr. Seward,

Ordered, That the memorial of Samuel Bromberg, late consul of the United States at Hamburg, praying to be allowed compensation for diplomatic and extra services, be referred to the Committee on Foreign Relations.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 198) for the relief of Joseph Hardy and Alton Long; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The following bills and joint resolutions were severally read the second time, and considered as in Committee of the Whole:

S. 115. Bill for the relief of J. Hosford Smith;

S. 116. Bill for the relief of Jeremiah Pendergast, of the District of Columbia;

S. 128. Bill for the relief of George Phelps;

S. 156. Bill for the relief of Joshua Shaw, of Bordentown, New Jersey;

S. 172. Bill for the relief of William D. Moseley;

S. 186. Bill to confirm the title of Benjamin E. Edwards to a certain tract of land in the Territory of New Mexico;

S. 223. Bill for the relief of Frances Ann McCauley;

S. 255. Bill for the relief of Anthony Caslo, a soldier of the war of 1812;

S. 20. Joint resolution authorizing the Secretary of the Navy to pay to the officers and seamen of the expedition in search of Doctor Kane the same rate of pay that was allowed the officers and seamen of the expedition under Lieutenant De Haven; and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills and joint resolution were read the third time, by unanimous consent.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 130) for the relief of Jennett H. McCall; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 53) for the relief of John McVey; and,

On motion by Mr. Stuart,

Resolved, That it be postponed indefinitely.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859, in which it requests the concurrence of the Senate.

The bill (H. R. 200) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 375) to create two additional land districts in the Territory of Washington, reported it without amendment.

Mr. Bigler, from the Committee on Post Offices and Post Roads, to whom was referred the memorial of A. L. Pennock and George Pennock, reported: That the committee be discharged from the further consideration thereof, and that the memorial and papers be referred to the Court of Claims.

The Senate proceeded to consider the report; and in concurrence therewith,

Ordered, That the Committee be discharged from the further consideration of the memorial of A. L. Pennock and George Pennock, and that the memorial and papers be referred to the Court of Claims.

Mr. Slidell submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be requested to inform the Senate of the present condition of the new custom-house at New Orleans; what sum will be necessary for its completion, and what appropriation is required for the payment of liabilities under existing contracts.

The Senate resumed, as in Committee of the Whole, the bill (S. 287) for the relief of Sherlock & Shirley; and having been amended, on the motion of Mr. Yulee,

On motion by Mr. Davis, that the further consideration of the bill be postponed until to-morrow,

It was determined in the affirmative, { Yeas..... 27
Nays 16

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bigler, Broderick, Cameron, Clark, Clingman, Collamer, Davis, Doolittle, Foot, Foster, Hale, Hammond, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, King, Polk, Sebastian, Shields, Simmons, Slidell, Stuart, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bright, Dixon, Fitzpatrick, Gwin, Henderson, Jones, Kennedy, Pugh, Seward, Thomson, of New Jersey, Toombs, Wade, Yulee.

So it was

Ordered, That the further consideration of the bill be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 297) to extend an act entitled "An act to continue half pay to certain widows and orphans," approved February 3, 1853.

On motion by Mr. Pugh, to amend the bill by inserting after the word "life" in the 8th line, the words *or widowhood*,

It was determined in the negative, { Yeas..... 25
Nays 27

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Hammond, Henderson, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Pearce, Polk, Pugh, Rice, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bigler, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Durkee, Foot, Foster, Hale, Hamlin, Harlan, Houston, Jones, Kennedy, King, Mallory, Seward, Shields, Simmons, Stuart, Trumbull, Wade, Wilson.

No amendment being made, the bill was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 25) to grant to every person who is the head of a family and a citizen of the United States, a homestead of one hundred and sixty acres of land, out of the public domain, upon condition of

occupation and cultivation of the same for the period herein specified ; and,

After debate and the consideration of executive business,

On motion by Mr. Allen,

The Senate adjourned.

FRIDAY, MAY 21, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, information in relation to the alteration of arms of the United States now on hand into breech-loading arms ; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, the report of Lieutenant T. A. Craven, of the navy, of his exploration as to the practicability of inter-oceanic communication from the Gulf of Darien to the Pacific ocean, by the Atrato and Truando rivers ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Mallory, that the report be printed, and that two thousand additional copies thereof be printed for the use of the Senate,

Ordered, That the motion be referred to the Committee on Printing.

Mr. Seward presented a petition of citizens of Taylor county, Iowa, praying the enactment of a law for the relief of settlers who may suffer by the closing of the land offices in that State to enable the railroad company to make their surveys and selections ; which was referred to the Committee on Public Lands.

Mr. Brown presented the petition of John H. Yewell, praying to be allowed a pension ; which was referred to the Committee on Pensions.

Mr. Green presented a petition of citizens of Warsaw, Illinois, remonstrating against a diversion of the lands appropriated for the improvement of the Des Moines river from that purpose ; which was referred to the Committee on Public Lands.

Mr. Cameron presented a memorial of the board of marine surveyors of Philadelphia, praying the construction of a breakwater on Crow shoal, in the Delaware bay ; which was referred to the Committee on Commerce.

Mr. Seward presented papers in relation to the claim of James Collier, late collector of the customs of Upper California, to certain money due him under a decision of the Supreme Court of the United States ; which was referred to the Committee on Finance.

Mr. Seward submitted the following resolution ; which was read :

Resolved, That the Secretary of the Senate of the United States be, and he is hereby, authorized to allow and pay to the temporary clerks employed in his office the same rate of compensation as is paid to the clerks of the committees of the Senate.

Mr. Seward asked and, by unanimous consent, obtained leave to

bring in a bill (S. 391) authorizing the removal of the offices belonging to the United States and occupied in the collection of the revenue in connexion with the quarantine station in the port of New York; which was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Foot submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia be instructed to inquire into the expediency of providing by law for an appropriation for testing Barrow's improved revolving breech-loading cannon.

Mr. Sebastain submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of a law authorizing the marshal of the western district of Arkansas to employ assistants and guards in serving process in the Indian country.

Mr. Wilson submitted the following resolution; which was considered by unanimous consent, and referred to the Committee on Printing:

Resolved, That sixty thousand extra copies of the Report of the Commissioner of Patents on Agriculture be printed for the use of the Senate.

Mr. Rice submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing the following post routes in the State of Minnesota: From Owatoma, in Steele county, *via* Clear Lake and Josco, to Mankato, in Blue Earth county; from Austin, in Mercer county, *via* Geneva, Berlin, Otisco, Wilton, and Josco, to St. Peters, in Nicollet county; from Austin to Blue Earth City; from Minneapolis, *via* Watertown and Winslead, to Brackenridge; from Mount Vernon to White Water Falls; from Faribault, *via* Swavery and Josco, to Mankato; from Clear Lake, in Sherburne county, *via* Fairhaven and Kingston, to Forest City; from Geneva, in Freeborn county, *via* Freeborn City, in Faribault county; from Shakopee to Buffalo and Monticello; from Swan river to Long Prairie; from Elliot to Blue Earth City; from Blue Earth City to Fort Dodge, in Iowa; from New Ulm, *via* Tuttle's Farm, to Leavenworth; from Wabashaw, *via* Dodge City to Medford; from Princeton, *via* Granite City to Crow Wing; from Little Falls, *via* Granite City, Hanover, and Sterling, to Fortuna; from Little Falls, *via* Brottersburg to Sunrise City; from Watab, in Benton county, to St. Joseph, in Stearns county; from St. Cloud, *via* Brottenburg and Brunswick, to Fortuna; from Faribault, in Rice county, to Wilton, in Waseca county; from Grey Eagle, *via* Pine Creek P. O., to Ridgeway; from Rochester, *via* Salem, Ashland, and Somerset, to Wilton; from Fort Dodge, in Iowa, *via* Emmett City, thence to Odessa, in Minnesota, thence, *via* Cresco, Crystal Lake City, to Mankato; from Long Prairie to Little Falls; from Columbus to Cambridge; and from Clear Spring, *via* Clear Water, to Forest City.

On motion by Mr. Broderick,

Ordered, That the petition of Charles Kohler, on the files of the Senate, be referred to the Committee on Claims.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, information in relation to the present condition of the new custom-house at New Orleans; which was read.

Ordered, That it be referred to the Committee on Commerce.

Mr. Rice presented papers relative to the claim of Eugene Burnand to compensation for translations made for the legislative assembly of Minnesota; which were referred to the Committee on Finance.

Mr. Rice presented papers in relation to the claim of John N. Dodgson to indemnity for Indian depredations; which were referred to the Committee on Indian Affairs.

Mr. Rice presented papers in relation to the claim of Alexander Wood, administrator of William Wood and George M. Wood, to indemnity for Indian depredations; which were referred to the Committee on Indian Affairs.

Mr. Rice presented papers in relation to the claim of Adam P. Shegley, to indemnity for Indian depredations; which were referred to the Committee on Indian Affairs.

Mr. Rice presented papers in relation to the claim of Alexander Wood, administrator of the estate of Josiah W. Stewart, to indemnity for Indian depredations; which were referred to the Committee on Indian Affairs.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the memorial of Samuel Bromberg, submitted an adverse report, (No. 269;) which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom were referred a presentment of the grand jury of the United States for the district of South Carolina, at Charleston, relative to a new court-house and the maintenance of prisoners at that place; a presentment of the grand jury of the United States district court at Greenville, South Carolina, recommending an appropriation for a new court-house and the appointment of commissioners at suitable points within the jurisdiction of that court; a memorial of members of the bar of the northern district of Florida, praying that the salary of the United States judge of that district be made the same as that of the United States judge of the southern district; a presentment of the grand jury of the United States court for the northern district of Florida, relative to the necessity of a building for the accommodation of the United States courts in that district; and a resolution of the legislature of Texas, in favor of the erection of buildings for post offices and the use of the United States courts in that State, and also the establishment of another judicial district therein, reported adversely thereon.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of a resolution of the legislature of Michigan, in favor of dividing the State into two judicial districts, and a resolution of the legislature of Missouri, relative to a building for the United States courts and post office at Jefferson city in that State.

Mr. Bayard, from the Committee on the Judiciary, to whom was

referred the bill (S. 17) to divide the State of Indiana into two judicial districts, and to provide for holding the district and circuit courts of the United States, reported it without amendment, and that it ought not to pass.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 21) to divide the State of Iowa into two judicial districts, reported it without amendment, and that it ought not to pass.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 311) to supply vacancies in certain offices, reported it with an amendment.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 222) for the relief of Elizabeth E. V. Field, reported that the committee be discharged from the further consideration of the bill.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 261) for the relief of Leonard Loomis, reported it without amendment.

Mr. Bright asked and, by unanimous consent, obtained leave to bring in a bill (S. 392) to continue the office of register of the land office at Vincennes, Indiana; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Foster, from the Committee on Public Lands, to whom were referred the following bills:

H. R. 426. An act for the relief of Monroe D. Downs;

H. R. 577. An act for the relief of Rebecca M. Bowden, of Prince George county, Virginia;

H. R. 578. An act for the relief of Isaac Drew and other settlers upon the public lands in the State of Wisconsin, reported them, severally, without amendment.

On motion by Mr. Jones,

Ordered, That the Committee on Pensions be discharged from the further consideration of the memorial of William Fleming, and that it be referred to the Committee on Public Lands.

Mr. Bigler, from the Committee on Commerce, to whom was referred the memorial of Noah Miller, submitted an adverse report, (No. 270;) which was ordered to be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred a bill reported from the Court of Claims, the 14th of May, for the relief of Richard Fitzpatrick, with the opinion of the court in favor of the claim, reported the bill (S. 393) without amendment.

The bill (S. 393) was read and passed to a second reading.

Mr. Yulee, from the Committee on Patents and the Patent Office, to whom was referred the petition of Edson Fessenden, submitted a report, (No. 271,) accompanied by a bill (S. 394) for the relief of Edson Fessenden, conservator of William Crompton.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (S. 383) for the relief of Myra Clark Gaines, reported it without amendment.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the bill (H. R. 332) for the relief of Richard B. Alexander, and that it be referred to the Committee on Military Affairs and the Militia.

Mr. Green asked and, by unanimous consent, obtained leave to bring in a bill (S. 390) to pay the Oregon and Washington war claims; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 564) to create a land district in the Territory of New Mexico.

Mr. Pearce, from the Committee on Finance, to whom was referred the joint resolution (H. R. 30) for paying the compensation of stenographers employed by committees of the House of Representatives, reported it without amendment.

On motion by Mr. Iverson,

Ordered, That he be excused from serving on the committee on Military Affairs and the Militia, and that the Vice President appoint a member to fill the vacancy; and

Mr. Hayne was appointed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 207) to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns, reported it without amendment.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 260) for the relief of Isaac Carpenter, reported it without amendment.

The bill (S. 259) authorizing the courts to adjudicate the claim of the legal representatives of the Sieur de Bonne and Chevalier de Repentigny to certain lands at the Sault Ste. Maria, in the State of Michigan, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

On motion by Mr. King,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 203) for the relief of the legal representatives of Charles Porterfield, deceased; and, having been amended, it was reported to the Senate and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The following bills and joint resolutions were read the second time, and considered as in Committee of the Whole:

S. 309. Bill for the relief of John B. Miller;

S. 308. Bill for the relief of M. C. Gritzner;

S. 306. Bill for the relief of Samuel H. Taylor;

S. 212. Bill for the relief of Joseph C. G. Kennedy ;

S. 216. Bill authorizing the payment to the State of Maine of certain expenses agreed to be refunded to her by the fifth article of the treaty between the United States of America and her Britannic Majesty, dated the 9th day of August, in the year of our Lord 1842 ;

S. 252. Bill for the relief of Charles McCormick, assistant surgeon in the United States army ;

S. 260. Bill for the relief of William Cruickshank, J. S. Polack, Calhoun Benham, and Frederick A. Sawyer, of San Francisco ;

S. 266. Bill for the relief of George W. Flood ;

S. 267. Bill for the relief of G. Alonzo Breast ;

S. 268. Bill for the relief of Aaron H. Palmer ;

S. 272. Bill for the relief of Charles Knap ;

S. 275. Bill for the relief of Jeremiah Pendergast ;

S. 282. Bill for the relief of Bernard M. Byrne ;

S. 284. Bill for the relief of C. Edward Habicht, administrator of J. W. P. Lewis ;

S. 291. Bill for the relief of Webster S. Steele ;

S. 292. Bill for the relief of James A. Glanding ;

S. 293. Bill for the relief of Franklin Peale ;

S. 295. Bill for the relief of David D. Porter ;

S. 301. Bill for the relief of Henry Etting ;

S. 302. Bill for the relief of James Smith ;

S. 324. Bill for the relief of R. W. Clarke ;

S. 283. Bill for the relief of James Maccaboy ;

S. 331. Bill for the relief of P. S. Duval & Company ;

S. 328. Bill for the relief of John Pickell, late a lieutenant in the United States army ;

S. 330. Bill for the relief of Stephen R. Rowan ;

S. 335. Bill for the relief of Abner Merrill, of the State of Maine ;

S. 336. Bill for the relief of Assistant Surgeon Edward P. Vollum, of the United States army ;

S. 338. Bill for the relief of Caleb Sherman ;

S. 332. Bill for the relief of Anton L. C. Portman ;

S. 340. Bill for the relief of Ann L. Rogers ;

S. 368. Bill for the relief of Mrs. Eliza E. Ogden ;

S. 374. Bill for the relief of George J. Knight ;

S. 380. Bill to provide for the payment of the claim of the State of Maine for expenses incurred by that State in organizing a regiment of volunteers for the Mexican war ;

S. 367. Bill to provide for the payment of certain California claims ;

S. 388. Bill for the relief of the legal representatives of the late John Forsyth ;

S. 34. Joint resolution for the relief of the legal representatives of John A. Frost, deceased ;

S. 38. Joint resolution for the relief of John Grayson ; and, no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills and joint resolutions were severally read the third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Henderson, that the Senate reconsider the vote on passing the bill (S. 283) for the relief of James Maccaboy,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill from the Court of Claims (S. 393) for the relief of Richard Fitzpatrick was read the second time, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the following bills and joint resolution :

H. R. 65. An act for the relief of Thomas Smithers ;

H. R. 217. An act to amend an act entitled "An act granting a pension to Ansel Wilkinson," approved August 13, 1856 ;

H. R. 209. An act for the relief of the representatives of William Smith, deceased, late of Louisiana ;

H. R. 211. An act for the relief of the heirs and legal representatives of Pierre Broussard, deceased ;

H. R. 100. An act to revive an act entitled "An act for the relief of the heirs or the legal representatives of William Conway, deceased ;"

H. R. 272. An act for the relief of Brevet Major H. L. Kendrick ;

H. R. 225. An act to increase the pension of John Richmond ;

H. R. 214. An act for the relief of Regis Loisel, or his legal representatives ;

H. R. 250. An act for the relief of Pierre Gagnon, of Natchitoches, Louisiana ;

H. R. 327. An act for the relief of the legal representatives of Marie Malines ;

H. R. 207. An act to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns ;

H. R. 260. An act for the relief of Isaac Carpenter ;

H. R. 578. An act for the relief of Isaac Drew and other settlers upon the public lands in the State of Wisconsin ;

H. R. 30. Joint resolution for paying the compensation of stenographers employed by committees of the House of Representatives ; and, no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills and joint resolution were read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 251) to authorize the claimants in right of John

Huertas to enter certain lands in Florida; and, having been amended, it was reported to the Senate, and the amendments were concurred in,

Ordered, That the amendments be engrossed and the bill read a third time.

On motion by Mr. Green, that the Senate reconsider the vote on passing the bill (S. 260) for the relief of William Cruikshank, J. S. Polack, Calhoun Benham, and Frederick A. Sawyer, of San Francisco,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

S. 224. Bill for the relief of Edward Ingersoll;

S. 230. Bill for the relief of the legal representatives of Daniel Hay, deceased;

S. 276. Bill for the relief of Mrs. Ambroise Brou, of the parish of St. Charles, State of Louisiana;

S. 323. Bill to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians; and, no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read the third time.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The following bills were read the second time and considered as in Committee of the Whole:

S. 235. Bill for the relief of Martin Layman;

S. 254. Bill for the relief of Townsend Harris;

S. 277. Bill for the relief of Albert G. Allen;

S. 377. Bill for the relief of Madison Sweetser;

S. 385. Bill for the relief of the heirs or legal representatives of Jean Hudry; and, having been severally amended, they were reported to the Senate, and the amendments were concurred in.

Ordered, That they be engrossed and read a third time.

The said bills were severally read the third time.

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

S. 181. A bill for the relief of Anson Dart.

S. 106. A bill for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith; and, having been severally amended, they were reported to the Senate, and the amendments were concurred in.

Ordered, That they be engrossed and read a third time.

The said bills were severally read a third time.

Resolved, That the said bills pass, and that their respective titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in the said bills.

Mr. Collamer, from the Committee on Territories to whom was re-

ferred the bill (H. R. 256) for the relief of Oliver P. Hovey, reported it without amendment.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President : The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 564,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill, (H. R. 564,) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

On motion by Mr. Seward,
The Senate adjourned.

SATURDAY, MAY 22, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate, papers in relation to the claims of Blocker and Gurley, and James F. Davis, to compensation as counsel for Lieutenant Anderson and his detachment ; which was read.

Ordered, That it be referred to the Committee on Military Affairs and the Militia.

Mr. Iverson presented a memorial of the State of Georgia, praying that the money advanced by that State for the purchase of clothing, &c., for the use of the army then quartered near the city of Savannah during the revolutionary war may be refunded ; which was referred to the Committee on Claims.

Mr. Gwin presented the petition of Noah Gammon, praying that the money paid by him on the entry of land to which he did not obtain a title may be refunded ; which was referred to the Committee on Public Lands.

Mr. Hamlin presented the memorial of Henry Addison and Robert Ould, in behalf of the corporate authorities of Georgetown, D. C., praying an appropriation for removing obstructions to the channel of the Potomac river, caused by the Long Bridge.

Ordered, That it lie on the table.

Mr. Seward presented the petition of O. Bowne, in behalf of the commissioners for the removal of the quarantine station of the State of New York, praying that the value of the property of the United States at the present quarantine station may be applied to furnish such accommodations as the Secretary of the Treasury shall deem necessary for revenue purposes at the new quarantine site ; which was referred to the Committee on Finance.

Mr. King presented papers relative to the claim of James A. Mott to compensation for medical services to sick and wounded soldiers in the war of 1812 ; which were referred to the Committee on Claims.

Mr. King presented the petition of William Nicholson, praying that the children of Marvel Nicholson, deceased, may be authorized to locate or assign a land warrant granted to her ; which was referred to the Committee on Public Lands.

Mr. Benjamin presented the petition of E. B. Bishop, praying an appropriation to test the utility of certain improvements in dredging machines patented by him; which was referred to the Committee on Commerce.

Mr. Benjamin presented the petition of Henry M. Fleury and others, praying the confirmation of a certain land title; which was referred to the Committee on Private Land claims.

Mr. Davis presented a petition of William B. Whiting, a lieutenant in the navy, praying an appropriation to make experiments with fire arms, and materials to resist projectiles from fire arms; which was referred to the Committee on Military Affairs and the Militia.

On motion by Mr. King,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Maurice K. Simons.

The Vice President laid before the Senate a letter of the Treasurer of the United States, communicating copies of his accounts of the receipts and disbursements for the Post Office Department for the fiscal years ending the 30th June, 1856, and 30th June, 1857; which was read.

Ordered, That it lie on the table.

The Vice President laid before the Senate a report of the Secretary of the Treasury, in compliance with a resolution of the Senate, showing the unexpended balance for the payment of claims of citizens of the United States, under the treaty of Guadalupe Hidalgo; which was read.

Ordered, That it lie on the table.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested (if, in his opinion, not incompatible with the public interest) to communicate to the Senate any correspondence that may have been held between this government and the government of England, concerning the seizure on the coast of Africa, by the naval forces of the latter power, of the American vessel "Panchita," sent in charge of a British naval officer, after said seizure, to the port of New York.

And if there be any further correspondence or documents received by the executive concerning the visitation or search of American vessels in the Gulf of Mexico, or elsewhere, by foreign armed cruisers, since the message of the President of the 19th May, instant, that he communicate the same to the Senate.

Mr. Wilson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be requested to report to the Senate specific estimates for "retrenchment and reform" in the expenditures for the several branches for the public service, "to remedy the evils of the excess of expenditures over the means of the government," as mentioned by him in his report of May 19, 1858; and that he be further requested to report to the Senate what "efforts" have been made, and by whom, since the 4th March, 1857, "to re-

strain the government to an economical expenditure of the public money," and what have been the results of those efforts.

Mr. Wilson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to inform the Senate under what authority Alexander G. Penn and Emile La Sere were appointed disbursing agents of the government at New Orleans; by whom and when appointed, and the nature of the service of each; the total amount of compensation paid to them, and what compensation per diem Mr. La Sere and Mr. Penn, respectively, receives for all services.

On motion by Mr. Wilson,

Ordered, That E. R. Livingston have leave to withdraw his memorial and papers.

On motion by Mr. Johnson, of Arkansas, that the Senate reconsider the vote on passing the bill (S. 308) for the relief of M. C. Gritzner,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Hamlin asked and, by unanimous consent, obtained leave to bring in a bill (S. 395) to authorize the increase of invalid pensions in certain cases; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

The Senate proceeded to consider the resolution submitted by Mr. Green, the 10th instant, to make certain allowances to the employés of the Senate; and

On motion by Mr. Slidell, that it lie on the table,

It was determined in the negative, { Yeas 21
Nays 23

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Bright, Clay, Collamer, Davis, Fessenden, Fitzpatrick, Foot, Hammond, Henderson, Hunter, Johnson, of Arkansas, King, Mason, Pearce, Slidell, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Bigler, Broderick, Cameron, Chandler, Clark, Crittenden, Dixon, Douglas, Fitch, Foster, Green, Gwin, Harlan, Iverson, Jones, Kennedy, Rice, Sebastian, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey.

After debate,

On motion by Mr. Crittenden, that the resolution lie on the table,

It was determined in the affirmative, { Yeas 33
Nays 17

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bright, Clark, Clay, Clingman, Collamer, Crittenden, Doolittle, Fessenden, Foot, Foster, Hamlin, Hammond, Hayne, Henderson, Hunter, Johnson, of Arkansas,

Johnson, of Tennessee, King, Mason, Pearce, Pugh, Reid, Simmons, Slidell, Thompson, of Kentucky, Toombs, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Dixon, Douglas, Fitch, Green, Harlan, Iverson, Jones, Kennedy, Polk, Sebastian, Seward, Stuart, Thomson, of New Jersey.

So it was,

Ordered, That the resolution lie on the table.

Mr. Hunter, from the Committee on Finance, to whom was referred a report of the Secretary of the Treasury relative to the present condition of the finances of the government, reported a bill (S. 396) to authorize a loan not exceeding the sum of fifteen millions of dollars; which was read and passed to a second reading.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the following:

Memorial of J. H. Langley and others, citizens of Illinois, relative to Rock Island;

Memorial of the pre-emptors of the island of Rock Island, in Illinois;

Petition of the mayor and council of the city of Rock Island, Illinois.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the following:

Resolutions of the legislature of New Jersey, in favor of a donation of public lands to that State, in common with other States, for establishing agricultural colleges; a memorial of the legislature of Minnesota, praying a donation of land for the establishment of an agricultural college in that State; a resolution of the legislature of California, in favor of a donation of lands to the States and Territories for agricultural colleges therein; a memorial of the legislature of Iowa, praying a donation of land for the purpose of establishing scientific agricultural schools in that State; resolutions of the legislature of Michigan, in favor of a donation of land for the endowment of the Michigan agricultural college; a memorial of the Michigan State Agricultural Society, praying that a grant of land may be made for the endowment of the agricultural college of that State, and similar institutions in every State in the Union; resolutions passed at the annual meeting of the Oneida County Agricultural Society of New York, in favor of the endowment and maintenance of a college in each State and Territory of the United States to teach such branches of learning as relate to agriculture and the mechanic arts; a memorial of members of the Board of Education of the State of Michigan, and of the faculty of the agricultural college of that State, praying a donation of land for the agricultural college; a petition of the New York State Agricultural College for an appropriation of public lands for an agricultural college in each State of the Union; a petition of the Ohio State Board of Agriculture, praying that a donation of land may be made to each of the States for the establishment of agricultural colleges; a memo-

rial of the regents of the University of Michigan, praying a donation of land; resolutions of the New York State Agricultural Society, recommending a grant of land to each State and Territory and District of Columbia for the endowment and maintenance of agricultural colleges; a memorial of the directors and faculty of Farmers' College, Hamilton county, Ohio, praying a grant of land to the several States and Territories for the establishment of agricultural colleges therein; a petition of citizens of New London county, Connecticut, praying that a grant of land be made to each State to endow therein an industrial university; a petition of inhabitants of Michigan, praying that a grant of land be made for the benefit of the Michigan Agricultural College; a petition of inhabitants of Michigan, that a donation of land be made for the use of the "Michigan Agricultural College;" a memorial of the board of trustees of "The Farmers' High School of Pennsylvania," praying a grant of land for the endowment of that institution; a petition of the State Agricultural Society of Michigan, praying that a liberal donation of public land be made for the promotion of agricultural education in that State; a memorial of Sallie Eola Reneau, praying an appropriation of a portion of unappropriated public land in the State of Mississippi for the purpose of endowing the State Female College of Mississippi; a memorial of the board of trustees of the Protestant University of the United States at Cincinnati, Ohio, praying that that institution may be endowed by a grant of public land; a memorial of the officers of the Oakland County Agricultural Society, praying a donation of land to each of the States for the encouragement and promotion of agricultural education therein; a petition of the Calhoun County Agricultural Society, Michigan, praying that a liberal donation of public land be made to Michigan and other States for the promotion of agricultural education.

On motion by Mr. Bigler,

Ordered, That the Committee on Post offices and Post Roads be discharged from the further consideration of the bill (S. 318) for the relief of Keep, Bard and Company, J. Caulfield, and Joseph Landis and Company, and that it be referred to the Committee on Commerce.

Mr. Polk, from the Committee on Claims, to was referred the memorial of William Money, submitted a report, (No. 272,) accompanied by a bill (398) for the relief William Money.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of Anastacio Caxxillo, submitted an adverse report thereon.

Mr. Mallory, from the Committee on Naval Affairs, to whom the subject was referred, reported a bill (S. 397) to authorize the construction of six small war steamers, of light draught; which was read and passed to a second reading.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 287) for the relief of Sherlock and Shirley; and, having been amended, it was reported to the Senate and the amendments were concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Stuart,

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 300) declaring the title to land warrants in certain cases; and, having been amended on the motion of Mr. Crittenden, it was reported to the Senate and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas..... 44
Nays 3

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Chandler, Clark, Clingman, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitch, Foot, Foster, Green, Hale, Hamlin, Hammond, Harlan, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mallory, Pearce, Reid, Rice, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Clay, Fitzpatrick, Pugh.

So it was

Resolved, That the bill pass, with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Green, that the Senate reconsider the vote on referring to the Committee on Printing, the motion to print the report of the Secretary of the Navy communicating the report of Lieutenant Craven.

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills and joint resolution :

H. R. 578. An act for the relief of Isaac Drew and others, settlers upon the public lands in the State of Wisconsin ;

H. R. 211. An act for the relief of the heirs and legal representatives of Pierre Broussard, deceased ;

H. R. 209. An act for the relief of the representatives of William Smith, deceased, late of Louisiana ;

H. R. 100. An act to revive an act entitled " An act for the relief of the heirs, or their legal representatives, of William Conway, deceased ;

H. R. 214. An act for the relief of Regis Loisel, or his legal representatives ;

H. R. 30. Joint resolution for paying the compensation of steno-

graphers employed by committees of the House of Representatives.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 207. An act to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns;

H. R. 225. An act to increase the pension of John Richmond;

H. R. 65. An act for the relief of Thomas Smithers;

H. R. 250. An act for the relief of Pierre Gagnon, of Natchitoches, Louisiana;

H. R. 217. An act to amend an act entitled "An act granting a pension to Ansel Wilkinson;"

H. R. 260. An act for the relief of Isaac Carpenter;

H. R. 272. An act for the relief of Brevet Major H. L. Kendrick;

H. R. 327. An act for the relief of the legal representatives of Marie Malines;

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed sundry enrolled bills, and an enrolled resolution, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the thirteen enrolled bills and the enrolled resolution last reported to have been examined, and they were delivered to the committee to be presented to the President of the United State.

The bill (S. 394) for the relief of Edson Fessenden, conservator of William Crompton, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed the consideration of the bill (S. 25) to grant to every person who is the head of a family and a citizen of the United States a homestead of one hundred and sixty acres of land, out of the public domain, upon the condition of occupancy and cultivation of the same for the period herein specified; and,

After debate,

On motion by Mr. Fessenden,

The Senate adjourned.

MONDAY, MAY 24, 1858.

Mr. Gwin presented the memorial of Perry McDonough Collins, praying Congress to compensate him for commercial researches in Northern Asia, and explorations of the Amoor river, in Asia; which was referred to the Committee on Foreign Relations.

On motion by Mr. Gwin, that the memorial be printed.

Ordered, That it be referred to the Committee on Printing.

Mr. Pearce presented resolutions adopted at a meeting of the Mer-

chants' Exchange Association of Washington, D. C., opposed to the bill introduced by Mr. Slidell to restrict the issue and circulation of bank notes as a currency in the District of Columbia, and in favor of rechartering the banks in the District.

Ordered, That they lie on the table.

On motion by Mr. Pearce, that the resolutions be printed,

Ordered, That they be referred to the Committee on Printing.

On motion by Mr. Pearce,

Ordered, That the Committee on the Library be discharged from the further consideration of the memorial of E. R. Livingston.

Mr. Simmons presented the memorial of George T. Durham, praying compensation for services as clerk in the Indian Bureau; which was referred to the Committee on Indian Affairs.

Mr. Davis presented a communication from the War Department, inclosing copies of correspondence inadvertently omitted in the answer to the resolution of the Senate of the 20th instant respecting the claim of Blocker & Gurley; which was referred to the Committee on Military Affairs and the Militia.

Mr. Brown presented a memorial of Thomas Motley for himself and others, praying permission to cross certain avenues in the city of Washington with a railroad, a portion of which he proposes to lay down as an experiment in that city; which was referred to the Committee on the District of Columbia.

Mr. Yulee presented the petition of Richard H. Long, praying permission to locate upon the reserves on St. Andrew's Bay, in Florida, certain pre-emption claims held by him; which was referred to the Committee on Public Lands.

Mr. Fitzpatrick presented a petition of John P. Figh and John H. Gindrat, contractors for the erection of certain public buildings at Fort Gaines, Dauphin Island, praying compensation for damages sustained by them in consequence of a suspension of the work by an officer of the government; which was referred to the Committee on Claims.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the bill (S. 263) granting the right of way over, and depot grounds on, the military reserve at Fort Gratiot, in the State of Michigan, for railroad purposes, reported it with an amendment.

Mr. Mallory, from the Committee on Naval Affairs, to whom were referred the following bill and joint resolution:

S. 179. Bill to extend the provisions of section twelve of the "Act making appropriations for the naval service for the year ending the 30th of June, 1858;"

S. 26. Joint resolution for the benefit of the nearest male heir of the late Major General Towson, United States army, deceased; reported them without amendment, and that they ought not to pass.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the following:

A petition of William W. Hubbell; a petition of W. Brenton Boggs, United States navy; a memorial of John C. F. Salomon and George W. Morris; a memorial of B. F. Simms and Arthur Barbarin;

a petition of John J. Rink ; a petition of Franklin Kelsey ; a memorial of Joseph Humphries ; a memorial of E. D. Tippet ; a memorial of Bishop, Simons & Co., praying permission to give a practical experiment, before an appropriate committee, of the merits of R. C. Holmes' patent self-righting, self-bailing surf and life boat ; four memorials of citizens of Pennsylvania, praying that a system of instruction may be introduced into the United States navy as a means of improving the personnel of the ships' crews ; a memorial of insurance companies, merchants, and others, of New York, of a like import ; a memorial of citizens of Cincinnati, Ohio, of a like import ; a memorial of citizens of Newark, New Jersey, of a like import ; two memorials of citizens of New Orleans, of a like import ; a memorial of citizens of Pennsylvania, praying a change in the present system of government chaplains and an increase of the number of chaplains ; a memorial of Bishop Potter, of New York, and other clergymen, praying that a system of instruction may be introduced on board the United States ships-of-war for the improvement of the personnel of the navy.

Mr. Mallory, from the Committee on Naval Affairs, to whom were referred a petition of Sarah Brashear, a petition of Thomas W. Jordan, and a memorial of Georgiana M. Lewis, reported adversely thereon, and that the committee be discharged from the further consideration of the petitions and memorial.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 273) for the relief of John F. Cannon, reported it without amendment.

Mr. Shields asked and, by unanimous consent, obtained leave to bring in a bill (S. 399) to amend an act entitled "An act to extend pre-emption rights to certain lands therein mentioned," approved 3d March, 1853 ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Clay, from the Committee on Commerce, to whom was referred the memorial of the president and directors of the Dismal Swamp Canal Company, submitted a report, (No. 273,) accompanied by a bill (S. 400) to surrender the stock of the United States in the Dismal Swamp Canal Company, upon certain conditions, to said company.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (S. 318) for the relief of Keep, Bard & Co., J. Caulfield, and Joseph Landis & Co., reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. King,

Ordered, That a message be sent to the House of Representatives to request the return of the bill (S. 323) to confirm the sale of the

reservation held by the Christian Indians, and to provide a permanent home for said Indians, which passed the Senate the 21st instant.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills and resolution :

H. R. 65. An act for the relief of Thomas Smithers ;

H. R. 100. An act to revive an act entitled " An act for the relief of the heirs, or their legal representatives, of William Conway, deceased ;

H. R. 207. An act to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns ;

H. R. 209. An act for the relief of the representatives of William Smith, deceased, late of Louisiana ;

H. R. 211. An act for the relief of the heirs and legal representatives of Pierre Broussard, deceased ;

H. R. 214. An act for the relief of Regis Loisel, or his legal representatives ;

H. R. 217. An act to amend an act entitled " An act granting a pension to Ansel Wilkinson ;

H. R. 225. An act to increase the pension of John Richmond ;

H. R. 250. An act for the relief of Pierre Gagnon, of Natchitoches, Louisiana ;

H. R. 260. An act for the relief of Isaac Carpenter ;

H. R. 272. An act for the relief of Brevet Major H. L. Kendrick ;

H. R. 327. An act for the relief of the legal representatives of Marie Malines ;

H. R. 564. An act to create a land district in the Territory of New Mexico ;

H. R. 578. An act for the relief of Isaac Drew and other settlers upon the public lands in the State of Wisconsin ;

H. R. 30. Joint resolution for paying the compensation of stenographers employed by the committees of the House of Representatives.

Mr. Douglas asked and, by unanimous consent, obtained leave to bring in a bill (S. 401) to facilitate communication between the Atlantic and Pacific States by electric telegraph ; which was read the first and second times, by unanimous consent, referred to the Committee on Post Offices and Post Roads, and ordered to be printed.

Mr. Douglas asked and, by unanimous consent, obtained leave to bring in a bill (S. 402) to restrain and redress outrages upon the flag and citizens of the United States ; which was read the first and second times, by unanimous consent, referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 280) to repeal the 25th section of the act to establish the judicial courts of the United States, approved September 24, 1789, reported that the committee be discharged from the further consideration of the subject.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the bill (S. 389) providing for the allotment of lands to certain New York Indians, and for other purposes, reported it with an amendment.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was

referred the memorial of George Stealey, submitted a report, (No. 274,) accompanied by a bill (S. 403) for the relief of George Stealey.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bright asked and, by unanimous consent, obtained leave to bring in a bill (S. 404) in relation to a "Revised Code" for the District of Columbia; which was read the first and second times, by unanimous consent, referred to the Committee on the District of Columbia, and ordered to be printed.

On motion by Mr. Trumbull,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the petition of the United States judge for the western district of Arkansas, and others, relative to the erection of a jail at Van Buren, in that State.

Mr. Hunter from the Committee on Finance, to whom was referred the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859, reported it with amendments.

Mr. Fitzpatrick asked and, by unanimous consent, obtained leave to bring in a bill (S. 405) for the relief of John P. Figh and John H. Gindrat; which was read the first and second times, by unanimous consent, and referred to the Committee on Claims.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of the Senate (S. 99) to amend the "Act to incorporate the Columbia Institution for the instruction of the deaf and dumb and the blind," approved February 16, 1857.

I am directed by the House of Representatives to return to the Senate, in compliance with its request, the bill (S. 323) to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians.

On motion by Mr. King, that the Senate reconsider the vote on passing the bill (S. 323) last mentioned,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Pugh, from the Committee on the Judiciary, to whom were referred the credentials of Graham N. Fitch and Jesse D. Bright, senators from the State of Indiana, together with the documents and testimony relative to that subject, submitted a report, (No. 275,) accompanied by the following resolution:

Resolved, That Graham N. Fitch and Jesse D. Bright, senators returned and admitted from the State of Indiana, are entitled to the seats which they now hold in the Senate, as such Senators aforesaid, the former until the 4th of March, 1861, and the latter until the 4th of March, 1863, according to the tenor of their respective credentials.

On motion by Mr. Benjamin,

Ordered, That the report, with the accompanying documents, be printed.

On motion by Mr. Wade, that the Senate proceed to the consideration of the bill (S. 341) making appropriations for repairing and improving the works at the harbor of Chicago, Illinois,

It was determined in the affirmative, { Yeas 30
 { Nays 27

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Bigler, Bright, Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, King, Pearce, Pugh, Seward, Shields, Simmons, Stuart, Thompson, of Kentucky, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Gwin, Hammond, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson of Tennessee, Kennedy, Mallory, Mason, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Whereupon,

The said bill (S. 341) was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

On the question, Shall the bill pass?

After debate,

The hour for the consideration of the special order of the day having arrived,

On motion by Mr. Hunter, that the special order of the day and the prior general orders be postponed to consider the bill (S. 396) to authorize a loan not exceeding the sum of fifteen millions of dollars,

It was determined in the affirmative, { Yeas 34
 { Nays 20

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Gwin, Hammond, Hayne, Henderson, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Mallory, Mason, Pearce, Polk, Reid, Rice, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Dixon, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson, of Tennessee, King, Seward, Simmons, Stuart, Tumbull, Wade, Wilson.

So the bill (S. 396) to authorize a loan not exceeding the sum of fifteen millions of dollars was read the second time and considered as in Committee of the Whole.

On motion by Mr. Bigler, to amend the bill by striking out the following words in the fifth section: "and an additional clerk of the same class and salary in the office of the Treasurer of the United States,"

It was determined in the affirmative.

On motion by Mr. Wilson, to amend the bill by striking out the fifth section thereof, amended as follows:

"SEC. 5. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to appoint in the office of the Register of the Treasury an additional clerk of the third class, at a salary of sixteen hundred dollars per annum,"

It was determined in the affirmative, { Yeas..... 26
Nays 20

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Broderick, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Harlan, Iverson, Johnson, of Tennessee, Kennedy, King, Polk, Pugh, Rice, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bigler, Bright, Clay, Clingman, Fitzpatrick, Gwin, Hammond, Hayne, Henderson, Houston, Hunter, Jones, Mason, Pearce, Reid, Sebastian, Stuart, Thomson, of New Jersey, Wright.

So the amendment proposed by Mr. Wilson was agreed to.

On motion by Mr. Wilson, to amend the bill, section 6, line 4, by striking out "twenty" and inserting *five*,

It was determined in the affirmative, { Yeas..... 27
Nays 21

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Polk, Pugh, Rice, Seward, Simmons, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bigler, Bright, Brown, Clay, Clingman, Fitzpatrick, Gwin, Hammond, Hayne, Henderson, Hunter, Iverson, Jones, Mason, Pearce, Reid, Sebastian, Stuart, Toombs, Wright.

The bill, having been further amended, was reported to the Senate.

The amendments made, as in Committee of the Whole, having been concurred in,

On motion by Mr. Simmons further to amend the bill,

On motion by Mr. Seward,

The Senate adjourned.

TUESDAY, MAY 25, 1858.

Mr. Brown presented the petition of John Leach, praying to be allowed the benefit of the act of June 7, 1832, granting pensions to soldiers of the revolution; which was referred to the Committee on Pensions.

On motion by Mr. Brown,

Ordered, That W. W. Cox have leave to withdraw the papers relating to his claim.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 406) to authorize the city of Washington to distribute and use the water soon to be introduced therein from the Potomac river; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

Mr. Mason presented resolutions passed at a meeting of citizens of Georgetown, in the District of Columbia, protesting against the prayer of citizens residing on the heights of that city, who petitioned Congress to pass an act excluding them from the corporate limits of Georgetown.

Ordered, That they lie on the table.

On motion by Mr. Mason, that the resolutions be printed,

Ordered, That they be referred to the Committee on Printing.

Mr. Brown submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior cause to be prepared and laid before Congress, at the opening of the next session, a statement of all the expenditures from the national treasury for public and private purposes in the District of Columbia, (excluding the salaries of public officers,) from the time the seat of government was located at Washington to the close of the present fiscal year, specifying the object for which each expenditure was made, and arranging each under its appropriate head, as near as may be;

And resolved further, That the said Secretary be requested to have prepared a table, showing the number of town lots originally owned by the United States in the city of Washington; the number sold, and the sum for which they were sold; the number reserved, and their value; and that he also include in his report a statement of the assessed value of individual property in the city of Washington, for the year 1858, and the value of the government property, excluding the public archives and books.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Mary Jane Maltby, submitted an adverse report thereon.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of Matthew Flausburgh, submitted an adverse report thereon.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom were referred the following bills:

H. R. 232. An act for the relief of Margaret Whitehead;

H. R. 231. An act for the relief of Nancy Serena, reported them without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 231) last mentioned; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (H. R. 26) authorizing the arrangement and disposal of public buildings in the city of Philadelphia; and the reported amendment having been agreed to, the resolution was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the resolution read a third time.

The said resolution, as amended, was read the third time.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 375) to create two additional land districts in the Territory of Washington; and, having been amended on the motion of Mr. Stuart, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 288) for the relief of Miles Devine was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 317) for the relief of Thomas L. Disharoon; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Joseph G. Heaton, submitted an adverse report, (No. 277,) and that the committee be discharged from the further consideration of the petition.

The Senate proceeded, by unanimous consent, to consider the report, and in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the petition.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Miles Judson, submitted a report, (No. 276,) accompanied by a bill (S. 407) for the relief of Miles Judson, surety on the official bond of the late Purser Andrew D. Crosby.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Johnson, of Arkansas, withdrew the motion submitted by him the 22d instant to reconsider the vote on passing the bill (S. 308) for the relief of M. C. Gritzner.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 99) to amend the "Act to incorporate the Columbia Institution for the instruction of the deaf and dumb and the blind," approved February 16, 1857.

The Vice President laid before the Senate a letter of the Secretary of the Senate, asking the direction of the Vice President as to the time at which the compensation of the senators from Minnesota is to commence.

Ordered, That it be referred to the Committee on the Judiciary.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be requested to furnish the Senate with a statement showing the amount which would be required to cover the additional pay of such of the retired naval officers whose cases have been acted upon by the late naval courts of inquiry and the President, and who have been advanced to a higher grade or position as to pay than the one assigned them by the late "retiring board," but who have not been restored to the active list, the said estimates being based upon the hypothesis that such officers be paid according to their present position (either furlough or leave of absence) from the time of their retirement to the date of their advancement, deducting any sums which they may have respectively received during said interval; and that he also transmit to the Senate a list of such officers, with the position assigned them by the "retiring board" and the one now held by them.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (S. 99,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (S. 99) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

On motion by Mr. Stuart,

Ordered, That a message be sent to the House of Representatives to request the return to the Senate of the bill (H. R. 300) declaring the title to land warrants in certain cases, which passed the Senate the 22d instant with an amendment.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 248) regulating municipal elections in the city of Washington; in which it requests the concurrence of the Senate.

I am directed by the House of Representatives to return to the Senate, in compliance with its request, the bill (H. R. 300) declaring the title to land warrants in certain cases, which passed the Senate with an amendment.

On motion by Mr. Stuart, that the Senate reconsider the vote on passing the bill (H. R. 300) last mentioned.

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Hale,

Ordered, That the petition of Robert Morris, with the adverse report of the Committee on Naval Affairs thereon, be recommitted to the Committee on Naval Affairs.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bill and resolution; in which it requests the concurrence of the Senate:

H. R. 540. An act to provide for lighting with gas certain streets across the Mall;

H. R. 32. Joint resolution making appropriation to pay the expenses of the several investigating committees of the House of Representatives; and

It has passed the bill of the Senate (S. 227) authorizing the organization of a fire department in the District of Columbia with an amendment; in which it requests the concurrence of the Senate.

The bills (H. R. 540 and H. R. 248) of the House of Representatives were read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

The joint resolution (H. R. 32) was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 227) authorizing the organization of a fire department in the District of Columbia; and,

On motion,

Ordered, That it be referred to the Committee on the District of Columbia.

The Senate resumed the consideration of the bill (S. 341) making appropriations for repairing and securing the works at the harbor of Chicago, Illinois; and,

After debate,

The hour having arrived for the consideration of the special order of the day,

The Senate resumed the consideration of the bill (S. 396) to authorize a loan not exceeding the sum of fifteen millions of dollars.

An amendment having been proposed by Mr. Simmons,

After debate,

On motion by Mr. Mallory,

The Senate adjourned.

WEDNESDAY, MAY 26, 1858.

Mr. Stuart presented a petition of citizens of northern Michigan, praying that a homestead of eighty acres of land may be granted to each of the mixed blood Indians residing in that section of the State; which was referred to the Committee on Indian Affairs.

Mr. Stuart presented a petition of citizens of Michigan, praying that the Indian agency of that State may be divided into two agencies, and that the northern agency be located at Michilimackinac; which was referred to the Committee on Indian Affairs.

Mr. Seward presented a paper signed by Charles T. Platt and H. B. Sawyer, in behalf of those officers of the navy who were transferred from the furlough to the leave of absence list, asking that provision may be made for allowing them the difference of pay between those grades to the time they were so transferred; which was referred to the Committee on Naval Affairs.

Mr. Seward presented the memorial of William H. De Groot, praying indemnity for losses sustained by him under his contract with Captain Meigs for furnishing brick for the Washington aqueduct, in consequence of the failure of the government to provide the means for carrying on the work; which was referred to the Committee on Claims.

Mr. Hunter, from the Committee on Finance, to whom was referred the joint resolution (H. R. 32) making appropriation to pay the expenses of the several investigating committees of the House of Representatives, reported it without amendment.

The Senate proceeded to consider the said resolution as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said resolution was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Hamlin presented a resolution of the board of aldermen and board of common council of Georgetown, D. C., protesting against the passage of any measure for receding any portion of that city to the county of Washington; also, a memorial of citizens of Georgetown, some of whom reside upon the "heights," remonstrating against the prayer of certain citizens of that place, who petitioned Congress to pass an act to exclude that portion of Georgetown called the "heights" from the corporate limits of the city; which were referred to the Committee on the District of Columbia.

On motion by Mr. Hamlin, that the resolution and memorial be printed,

Ordered, That they be referred to the Committee on Printing.

Mr. Mason presented the petition of Stephen Shinn, praying payment for materials furnished and money advanced to Samuel Colt, in aid of his experiment with the submarine battery, in 1843 and 1844; which was referred to the Committee on Naval Affairs.

Mr. Kennedy presented the memorial of Rezin Orme, praying compensation for services as a clerk in the Second Auditor's office; which was referred to the Committee on Claims.

Mr. Brown presented a memorial of members of the bar of the circuit court of the District of Columbia, praying that compensation may be allowed to James S. Morsell, assistant judge of said court, for services as judge of appeals from decisions of the Commissioner of

Patents; which was referred to the Committee on the District of Columbia.

Mr. Brown presented a resolution of the corporation of Georgetown, D. C., in favor of the location of a national foundry near that place; which was referred to the Committee on Military Affairs and the Militia.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 541) in relation to a railway along Pennsylvania avenue in Washington city, in the District of Columbia, in which it requests the concurrence of the Senate.

The bill (H. R. 541) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

Mr. Pugh presented the memorial of A. G. Sloo, praying the intervention of the Senate in support of his contract for transporting the mails from the Atlantic to the Pacific ocean, by the isthmus of Tehuantepec.

Ordered, That it lie on the table.

On motion by Mr. Slidell,

Ordered, That the petition of Peter N. Paillet, on the files of the Senate, be referred to the Committee on Claims.

On motion by Mr. Mallory,

Ordered, That leave be granted to withdraw the memorial of Charles J. Swett.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing by law the following post routes in Arkansas, viz:

From Lewisburg, in Conway county, by Galla Rock and Bat's mill, to Dardanelle, in Yell county;

From Mill Bayou to Chitteceaux, Missouri;

From Augusta, in Jackson county, by Alvin McDonald, to Jacksonport;

From Memphis, Tennessee, (by railroad,) to Madison and Little Rock, in Arkansas;

From Searcy, in White county, to intersect the route from Desarc to Fort Smith at Cadron creek;

From Paraclifta, in Sevier county, to Sheetucket, in Polk county; and report by bill or otherwise.

Mr. Shields asked and, by unanimous consent, obtained leave to bring in a bill (S. 408) for the construction of a military road from Seattle to Fort Colville, in the Territory of Washington; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs and the Militia.

Mr. Polk asked and, by unanimous consent, obtained leave to bring in a bill (S. 409) making an appropriation for the completion of connected sections of a road from Albuquerque, in New Mexico, to the Colorado river; which was read the first and second times, by unanimous consent, and referred to the Committee on Territories.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 540) to provide for the lighting with gas certain streets across the Mall, reported it without amendment.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 248) regulating municipal elections in the city of Washington, reported it with an amendment.

Mr. Clay, from the Committee on Pensions, to whom were referred the petition of Andrew Chapman; the petition of Elizabeth Uber; the petition of Dolly Lincoln, Margaret Smith, and Linda Sexton, children of Noah Warriner; the petition of Cynthia Bishop, daughter of Abraham Foot; the petition of James Hudgins, son of Ruth Murphy, late widow of John Hudgins; the petition of George Walters; the petition of Thomas Stevens; the petition of the surviving children of Jerathmiel Doty; the petition of Deborah Burlingham; and the petition of Charles T. Bruckner, administrator of William White, submitted an adverse report (No. 278) thereon, and reported a joint resolution (S. 45) inhibiting the payment of certain claims for pensions therein specified.

The resolution was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay, from the Committee on Pensions, to whom was referred the joint resolution (S. 10) directing the Secretary of the Interior to pay certain pension claims therein specified, reported it without amendment, and submitted an adverse report thereon, (No. 278;) which was ordered to be printed.

The Senate proceeded to consider the motion of Mr. Fessenden of the 15th instant, that the Senate reconsider the vote on the rejection of the bill (S. 89) for the relief of George Ashley, administrator *de bonis non* of Samuel Holgate, deceased; and

The motion was agreed to.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the evidence in the case of John Ethridge be withdrawn from the Senate files, and transmitted to the Court of Claims, to be used in the case of Hardin's administrator, now pending in said court.

Mr. Iverson submitted the following resolution; which was read the first and second times, by unanimous consent:

Resolved, That the sum of three hundred and twenty-one dollars be paid out of the contingent fund of the Senate to N. C. Towle for his mileage and expenses in visiting the Aristook county, in Maine, under a resolution of the Senate of 18th August, 1856.

Mr. Davis, from the Committee on Military Affairs and the Militia, who were instructed by a resolution of the Senate to inquire into the expediency of providing for the engraving and publishing a map of the explorations of Lieutenant Warren in Nebraska Territory, reported in favor of engraving the said map.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the memorial of Ann

Gratnot, widow of Charles Gratnot, and that it be referred to the Committee on the Judiciary.

The resolution (S. 44) to grant to the judges and solicitor of the Court of Claims the use of the congressional library, and for other purposes, was read the second time and referred to the Committee on the Library.

Mr. Doolittle reported from the Committee that they had examined and found duly enrolled the bill (H. R. 231) for the relief of Nancy Serena.

On motion by Mr. Pugh,

Ordered, That he be excused from serving on the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 231,) I am directed to bring it to the Senate for the signature of its President.

The House of Representatives agrees to some and disagrees to other amendments of the Senate to the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859, and it agrees to the 23d amendment of the Senate to the said bill, with an amendment, in which it requests the concurrence of the Senate.

Mr. Benjamin, from the Committee on Private Land Claims, to whom were referred the petition of the heirs and representatives of Christoval and Miguel de Armas, the petition of the heirs and legal representatives of James Johnson, a petition of the city of New Orleans, and a petition of Joseph Reynes, submitted a report, (No. 279,) accompanied by a bill (S. 410) to confirm certain land claims in the Florida parishes of Louisiana to the city of New Orleans, and others.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate proceeded to consider its amendments to the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859, disagreed to by the House of Representatives, with the amendment of the House to the 23d amendment of the Senate to the said bill; and,

On motion,

Ordered, That they be referred to the Committee on Finance.

The Senate resumed the consideration of the bill (S. 341) making appropriations for repairing and securing the works at the harbor of Chicago.

On the question, Shall this bill pass?

It was determined in the affirmative,	{	Yeas.....	26
		Nays	17

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Broderick, Chandler, Collamer, Crittenden, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, Jones, Kennedy, King, Seward, Shields, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson.

Those who voted in the negative are,
Messrs. Bright, Brown, Clay, Clingman, Davis, Hammond, Houston, Hunter, Iverson, Johnson, of Tennessee, Mallory, Mason, Polk, Reid, Slidell, Toombs, Wright.

So it was

Resolved, That this bill pass, and the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 342) making appropriations for the preservation and repair of the piers at the mouth of Milwaukie river, Wisconsin, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

On the question, "Shall this bill pass?"

It was determined in the affirmative, { Yeas..... 26
Nays 18

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bigler, Broderick, Chandler, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, Kennedy, King, Sebastian, Seward, Shields, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bright, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, Polk, Reid, Rice, Slidell, Toombs.

So it was

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 343) making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin, was read the second time and considered as in Committee of the Whole.

An amendment being proposed by Mr. Pugh,

The hour arrived for the consideration of the special order.

On motion by Mr. Seward, that the special order of the day be postponed until to-morrow,

It was determined in the negative, { Yeas 18
Nays 30

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Dixon, Doolittle, Douglas, Durkee, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Bright, Clay, Clingman, Collamer, Crittenden, Davis, Fessenden, Fitch, Fitzpatrick, Hammond, Hayne,

Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mason, Polk, Reid, Rice, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright.

The Senate resumed the consideration of the bill (S. 396) to authorize a loan not exceeding the sum of fifteen millions of dollars.

On motion by Mr. Simmons, to amend the bill by inserting at the end thereof the following :

SEC. —. *And be it further enacted, That the provisions of the sixteenth and seventeenth sections of the act of thirtieth August, eighteen hundred and forty-two, the eighth section of the act of thirtieth July, eighteen hundred and forty-six, and the first section of the act of third of March, eighteen hundred and fifty-one, so far as the same relate to and direct the manner of ascertaining and determining the value of merchandise imported into the United States, at the principal markets of the countries from which the same are imported, shall remain and continue in force, and in all cases, when the same is practicable, the invoices of all goods, wares, and merchandise at the place or port of exportation shall be verified by the certificate of the consul of the United States at such port.*

SEC. —. *And be it further enacted, That, in order to prevent the continuance of fraud upon the revenue by the under valuations of foreign imports, and to provide for the valuation of imports in the same currency in which duties are paid, to wit: the legal currency of the United States, it is hereby provided that, in addition to the existing provisions of law for the entry and appraisement, or valuation of any goods, wares, or merchandise imported into the United States, it shall be the duty of the owner, importer, consignee, or agent of any goods, wares, or merchandise imported into any port of the United States, to exhibit to the collector or other proper officer of the customs of such port, a true invoice of the goods, wares, and merchandise entered by such person or persons at such port, embracing a statement of the quantity, description, nature, quality, and the true wholesale market price or value of the same or similar articles in the principal market of the United States, to wit: the city of New York, at the time of such entry of importation, or at the time nearest thereto which is practicable, and such invoice shall be verified and proved by the oath of the said owner, importer, consignee, or agent, who, on conviction of false swearing thereon shall be subject to the forfeiture and penalties as provided by the laws of the United States in like cases, and prosecuted as for wilful and corrupt perjury; and, upon such wholesale market price or value, to include so much of the foreign cost, charges, duties, and profits, as may enter into and become a part of such wholesale market price or value, the rates of duty imposed by the existing laws of the United States, at the time of entry of such importation, upon each article enumerated in such invoice, shall be assessed and paid: Provided, That if any collector or other proper officer of the customs shall have doubts as to the correctness of the valuation as above described, or should complaint or information be made or given by any person or persons, of the incorrectness of any such valuation, it shall be the duty of the collector or other proper officer of the customs to cause the true and actual wholesale market price or value of the same or similar articles in the city of New York, at the time of entry at the*

port of entry, to be ascertained and appraised in the same mode and manner as the wholesale market price or value is now ascertained and appraised in the principal markets of the countries from which the same is imported; and it shall in every such case be the duty of the appraisers of the United States, and every of them, and every person who shall act as such appraiser, or of the collector and naval officer, as the case may be, by all reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true actual market value or wholesale price of such goods, wares, and merchandise, in the city of New York, at the time of entry of such goods, wares, and merchandise, at the port of importation, without regard to any other invoice, valuation, or appraisement, or verification of the same by oath or otherwise, or the difference of any such invoice or valuation to the contrary notwithstanding.

And if such last mentioned appraisal or valuation shall exceed by ten per centum or more the value so declared on the entry, then, in addition to the duties imposed by law on the same, there shall be levied, collected, and paid a duty of twenty per centum ad valorem on such appraised value, as provided in the eighth section of the act of the thirtieth July, eighteen hundred and forty-six, entitled "An act reducing the duties on imports, and for other purposes." And the several collectors or other proper officers, under such regulations as may be prescribed by the Secretary of the Treasury, whenever they shall deem it necessary to secure the proper payment of the revenue due to the United States upon the importation of any goods, wares, or merchandise, may, and they hereby are required, whenever the same is practicable, to take the amount of duties chargeable on any article bearing an ad valorem rate of duty in the article itself, according to the proportion or rate per centum of the duty on said articles; and such goods so taken the collector or other proper officer shall cause to be sold at public auction, within twenty days from the time of taking the same, in the manner prescribed by law, and place the proceeds arising from such sale in the treasury of the United States; and as compensation to the collector and appraisers for their services in such proceeding, they shall be entitled to a commission of one per centum, to be shared by them, upon the amount of duties thus secured and paid, in addition to such other compensation as they are, by law, entitled to.

SEC. —. And be it further enacted, That should any person or persons complain or give information to the collector or other proper officer of the customs that any false or under valuation of any goods, wares, or merchandise has been made by any owner, importer, consignee, or agent, as aforesaid, under the preceding section of this act, or of any existing law of the United States, with a view to defraud the government of the duty legally due upon the same, the proper officer shall proceed to ascertain and appraise the true market value, as provided for in the preceding section and according to law, and if any forfeiture or penalty shall be incurred by any such owner, importer, consignee, or agent, one-half the amount or value of such forfeiture shall accrue to the benefit of the person or persons complaining or giving information which may have led to the detection of such fraud or under valuation.

SEC. 4. And be it further enacted, That all acts and parts of acts

The Senate proceeded to consider the said report; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the said memorials.

Mr. Clay, from the Committee on Commerce, to whom was referred a memorial of William A. Vaughan, John Smith, W. D. Little, and Nathaniel Dennett, jr., submitted an adverse report, (No. 281;) which was ordered to be printed.

Mr. Hunter, from the Committee on Finance, to whom were referred the amendments of the Senate to the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859, amended and disagreed to by the House of Representatives, reported thereon.

The Senate proceeded to consider its amendments to the bill (H. R. 201) last mentioned, disagreed to, and amended by the House of Representatives; and

On motion by Mr. Hunter,

Resolved, That the Senate insist on its said amendments to the bill aforesaid, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the Committee of Conference, on the part of the Senate, be appointed by the Vice President; and

Mr. Pearce, Mr. Fitzpatrick, and Mr. Trumbull, were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President signed the enrolled bill (H. R. 231) for the relief of Nancy Serena, yesterday reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

Mr. Iverson presented the memorial of Elizabeth Spear, widow of Thomas Williams, who was killed in battle, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Polk presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers.

Ordered, That it lie on the table.

Mr. Rice presented a memorial of the city of Saint Paul, Minnesota, praying permission to enter a small strip of government land, lying within the corporate limits of that city; which was referred to the Committee on Public Lands.

Mr. Foster, from the Committee on Pensions, to whom was referred the petition of Ebenezer Ricker, submitted a report, (No. 280,) accompanied by a bill (S. 411) for the relief of Ebenezer Ricker.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 329) to authorize augmented rates for surveying the public lands in the Territory of Washington, reported it with an amendment.

On motion by Mr. Stuart,

Ordered, That the letter of the Commissioner of the General Land Office, with the accompanying papers relating to the said bill, be printed.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 170) for extending the land laws east of the Cascade mountains, in Oregon and Washington Territories, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Rice asked and, by unanimous consent, obtained leave to bring in a bill (S. 412) supplemental to an act for the admission of the State of Minnesota into the Union; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Green presented a petition of citizens of Nebraska, in that portion of the Territory lying upon the Missouri river and between the mouth of the Big Sioux and the Running Water rivers, praying that that tract of country may be attached to and form part of the Territory of Dacotah; which was referred to the Committee on Territories.

Mr. Mallory, from the Committee on Naval Affairs, to whom were referred papers relating to the claim of Elbridge Lawton, submitted an adverse report thereon, (No. 282;) which was ordered to be printed.

Mr. Hale, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 336) for the relief of B. W. Palmer and others, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time, and the title was amended to read: An act relating to pursers's assistants and clerks of commandants and yards.

Resolved, That the said bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Dixon,

Ordered, That the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of the resolution to pay the honorable Willis A. Gorman for his services as commissioner to investigate certain alleged frauds of the superintendent of Indian affairs for the northern superintendency, and that it be referred to the Committee on Indian Affairs.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the

further consideration of the report of the Court of Claims in the case of Jacob Bigelow, administrator of Francis Cazeau, and that it be referred to the Committee on Revolutionary Claims.

Mr. Iverson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Military Affairs and the Militia be instructed to inquire into the expediency of reporting an amendment providing an appropriation to the army bill, to authorize the Secretary of War to adopt and apply, on a limited scale, to the present or future arms of the United States, the late improvement in fire arms of Captain J. N. Ward.

Mr. Collamer submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of the Navy be directed to inform the Senate, the time at which each of the vessels of the navy were built, and the original cost thereof, and the amount and time of the repairs on each exceeding five thousand dollars at one time ; also the present condition of each, as to competency for service, and where the same now are.

Mr. Trumbull submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Postmaster General be directed to inform the Senate whether the book published by John C. Rives in 1857, entitled "List of Post Offices in the United States, with the names of Postmasters, on the 13th of July, 1857 ; also, the Regulations and Laws of the Post Office Department, compiled from the Records of the Post Office Department, by D. D. T. Leech," is recognized by the department as containing correct copies of its regulations in force at the time of its publication, and whether said book is furnished to deputy postmasters and post office agents for their government in the discharge of their official duties ; also, the same information in regard to a book published by George S. Gideon in 1855, compiled by the said D. D. T. Leech and entitled List of Post Offices, &c. ; and especially whether regulations numbered in that book 52, 53, 75, 110, and 117, respectively, were in force in July, August, and September, 1855 ; and whether said last mentioned book, or a second edition thereof, published by Shillington, was furnished in 1855 and 1856 to postmasters and special agents of the Post Office Department as a guide for their official conduct ; and whether the regulations in said last mentioned book abolished or repealed all former regulations of the department inconsistent with their provisions.

Mr. Hamlin submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary of War be directed to communicate to the Senate any information in his possession showing the necessity of an improvement in the Potomac river in the District of Columbia, what the obstructions in the river now cost the government annually, and his opinion upon the necessity or expediency of said improvement,

The Senate proceeded to consider the motion submitted by Mr. Benjamin, the fourth instant, in relation to the papers relating to the claim of Alexander J. Atocha ; and

The motion was agreed to.

On motion by Mr. Green,

Ordered, That the Committee on Territories be discharged from the further consideration of the petition of citizens of Iowa, relative to the granting a license to Lewis A. Thomas for a ferry.

Mr. Green, from the Committee on Territories, to whom was referred a memorial of Giles S. Isham, submitted an adverse report, (No. 283;) which was ordered to be printed.

On motion by Mr. Hale,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of Walter Nexsen, and the memorial of Henry S. Crabbe.

The Vice President laid before the Senate a letter of the secretary of the Smithsonian Institution, communicating the annual report of the operations, expenditures, and condition of that institution for the year 1857; which was read.

On motion of Mr. Pearce, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Pearce submitted the following motion; which was considered, by unanimous consent, and referred to the Committee on Printing:

Ordered, That ten thousand extra copies of the report of the regents of the Smithsonian Institution be printed, two thousand five hundred of which for the use of the institution.

On motion by Mr. Hamlin,

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 482) regulating the compensation of the officers and marines of the revenue cutters; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

On the question, Shall the bill pass?

It was determined in the negative, {	Yeas	20
	Nays	23

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Bright, Clay, Collamer, Dixon, Fessenden, Green, Gwin, Hamlin, Hammond, Iverson, Jones, Mallory, Mason, Seward, Stuart, Thomson, of New Jersey, Wilson.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Clingman, Davis, Fitch, Foster, Harlan, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Pearce, Polk, Reid, Rice, Sebastian, Simmons, Slidell, Thomson, of Kentucky, Toombs, Trumbull, Wade, Wright.

So the bill was rejected.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed the consideration of the resolution to allow to N. C. Towle certain mileage and expenses.

The said resolution was read the third time.

On the question, Shall the resolution pass?

It was determined in the affirmative, { Yeas..... 31
Nays 12

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Chandler, Collamer, Crittenden, Dixon, Durkee, Fessenden, Fitch, Foot, Foster, Green, Hale, Hamlin, Hammond, Harlan, Iverson, Johnson, of Arkansas, Jones, Mallory, Mason, Pearce, Polk, Pugh, Seward, Simmons, Thompson, of Kentucky, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bigler, Clay, Clingman, Davis, Hunter, Johnson, of Tennessee, Reid, Rice, Sebastian, Slidell, Toombs, Wright.

Mr. Brown reported from the committee that they had examined and found duly enrolled the joint resolution (H. R. 32) making appropriation to pay the expenses of the several investigating committees of the House of Representatives.

Mr. Harlan, from the Committee on Public Lands, to whom was referred the bill (S. 322) for the relief of purchasers of public land within the timber reserve opposite Fort Kearney, and for the settlers within the Winnebago agency reservation, the Fort Atkinson reservation, and the timber reserve opposite Fort Crawford, all in the State of Iowa, reported it with an amendment, and submitted a report, (No. 284;) which was ordered to be printed.

Mr. Slidell asked and, by unanimous consent, obtained leave to bring in a bill (S. 413) for the relief of Mrs. Ann Smith, widow of the late Brevet Major General Persifer F. Smith; which was read the first and second times, by unanimous consent.

Mr. Toombs presented a resolution of the legislature of Georgia, in favor of the enactment of a law to relinquish the Indian title to certain reservations in that State; which was referred to the Committee on Indian Affairs.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed the enrolled resolution, (H. R. 32,) I am directed to bring it to the Senate for the signature of its President.

The House of Representatives has passed the following bills; in which it requests the concurrence of the Senate:

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs;

H. R. 199. An act making appropriations for the naval service for the year ending the 30th June, 1859.

The bills (H. R. 199 and H. R. 466) last mentioned were read the first and second times, by unanimous consent, and referred to the Committee on Finance.

The Vice President signed the enrolled resolution (H. R. 32) this day reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 343) making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin.

An amendment being proposed by Mr. Pugh, making appropriations for others harbors,

A motion was made by Mr. Hunter to amend the amendment proposed by Mr. Pugh :

A debate ensued until the hour arrived for the consideration of the special order of the day ; and

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 25) to grant to every person who is the head of a family and a citizen of the United States, a homestead of 160 acres of land out of the public domain, upon condition of occupancy and cultivation of the same for the period therein specified.

On motion by Mr. Clingman,

That the further consideration thereof be postponed until the first Monday in January next,

It was determined in the affirmative, { Yeas 30
Nays 22

On motion by Mr. Foot,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bigler, Brown, Clay, Clingman, Crittenden, Davis, Dixon, Fessenden, Fitzpatrick, Foster, Green, Hamlin, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Slidell, Thompson, of Kentucky, Thomson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Bell, Bright, Broderick, Chandler, Douglas, Durkee, Fitch, Foot, Hale, Harlan, Jones, King, Pugh, Rice, Seward, Shields, Simmons, Stuart, Toombs, Trumbull, Wade, Wilson.

So it was

Ordered, That the further consideration of the bill be postponed to the first Monday in January next.

On motion by Mr. Johnson, of Tennessee, to reconsider the vote on the postponement of the last mentioned bill,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Seward, that the special order of the day be postponed to consider the bill (S. 343) making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin,

It was determined in the affirmative, { Yeas..... 26
Nays 20

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Broderick, Chandler, Crittenden, Dixon, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones, Kennedy, King, Pugh, Seward, Shields, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bright, Clay, Clingman, Davis, Fitzpatrick, Green, Hayne, Houston, Hunter, Iverson, Johnson of Tennessee, Mallory, Mason, Pearce, Polk, Reid, Rice, Slidell, Toombs, Wright.

The Senate resumed, as in Committee of the Whole, the considera-

tion of the bill (S. 343) making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin; and

The following amendment proposed by Mr. Pugh being under consideration, viz: insert,

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$10,000, for repairing the works at the harbor of St. Joseph, Michigan, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$9,588, for repairing the works at the harbor of Monroe, Michigan, to be expended under the direction of the Secretary of War.

And be it further enacted, That the sum of \$23,421 be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for deepening and widening the channel through the St. Clair flats, Michigan, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$26,143 15, for securing and repairing the works at the harbor of Cleveland, Ohio, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, \$30,000, for repairs upon the works at Huron harbor, Ohio, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$16,940 96, for repairs upon the works at Black River harbor, Ohio, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$8,679 55, for repairs upon the works at Grand River harbor, Ohio, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$6,620, for repairing the works at the harbor of Ashtabula, Ohio, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$3,020, for repairing the works at the harbor of Conneaut, Ohio, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$8,638, for the immediate repair of the piers at Erie harbor, Pennsylvania, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$5,299 96, for the immediate repair of Dunkirk harbor works, New York, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$27,679 35, for repairing the public works at Buffalo harbor, New York, to be expended under the direction of the Secretary of War,

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$9,736 65, for repairing the piers of Oak Orchard harbor, New York, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$41,084 34, for repairing the public works at Genesee harbor, New York, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$40,806, for repairing the piers at Sodus Bay harbor, Wayne county, New York, and for dredging between the channel piers, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$46,391 14, for immediate repairs required for the preservation of Oswego harbor, New York, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$2,186 40, for repairs of the piers at Burlington, Vermont, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$110,000, for completing the improvements in the raft region of Red river, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$10,000, for the preservation of steam dredges and appurtenances, to be expended under the direction of the Secretary of War.

And be it further enacted, That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$20,000, for unforeseen contingencies of lake harbors, to be expended under the direction of the Secretary of War.

On motion by Mr. Hunter, to amend the amendment by adding at the end thereof the following:

SEC. —. *And be it further enacted, That for the purposes of this act, and to execute all improvements of harbors or rivers for which appropriations may be made by law during the present session of Congress, the President shall be authorized to borrow so much money as may be made necessary by these appropriations, on the credit of the United States, at an interest not exceeding six per cent. per annum, and for a term of not more than ten years. The said money to be borrowed under the same limitations and restrictions, and in the same manner as prescribed in an act entitled "An act to authorize a loan not to exceed the sum of sixteen millions of dollars," approved March thirty-first, eighteen hundred and forty-eight,*

It was determined in the negative, { Yeas..... 24
Nays..... 26

On motion by Mr. Seward,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Allen, Bright, Brown, Clay, Clingman, Davis, Fitzpatrick,

Gwin, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, Mallory, Mason, Pearce, Polk, Reid, Rice, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Bigler, Broderick, Chandler, Collamer, Crittenden, Dixon, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Harlan, Jones, Kennedy, King, Pugh, Sebastian, Seward, Shields, Simmons, Stuart, Trumbull, Wade, Wilson.

So the amendment proposed by Mr. Hunter was not agreed to.

On motion by Mr. Davis, to amend the amendment proposed by Mr. Pugh, by inserting at the end thereof :

That all articles now on the free list be classed among the unenumerated articles, and be charged with a duty of twenty per cent. ad valorem, on all importations made after the first day of July, 1858.

Mr. Wilson made a question of order, whether the amendment proposed by Mr. Davis was in order.

The Vice President, in pursuance of the 6th rule, asked the sense of the Senate, whether the amendment was in order ; and

It was decided *not* to be in order.

On motion by Mr. Bigler, to amend the amendment proposed by Mr. Pugh, by striking out the following clause :

“That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of twenty thousand dollars, for unforeseen contingencies of lake harbors, to be expended under the direction of the Secretary of War,”

It was determined in the negative, { Yeas..... 25
Nays 26

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bigler, Bright, Broderick, Brown, Clay, Clingman, Davis, Fitzpatrick, Hammond, Hayne, Hunter, Iverson, Johnson, of Tennessee, Mallory, Mason, Pearce, Polk, Reid, Rice, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Chandler, Collamer, Crittenden, Dixon, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Jones, Kennedy, King, Pugh, Sebastian, Seward, Shields, Simmons, Stuart, Trumbull, Wade, Wilson.

A further amendment being proposed by Mr. Bigler,

On motion by Mr. Houston, that the Senate adjourn,

It was determined in the negative, { Yeas..... 22
Nays 27

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bright, Brown, Clay, Clingman, Crittenden, Davis, Fitzpatrick, Hayne, Houston, Iverson, Johnson, of Tennessee, Kennedy, Mason, Pearce, Polk, Reid, Shields, Slidell, Thompson, of Kentucky, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Bigler, Broderick, Chandler, Dixon, Durkee, Fessenden, Fitch Foot, Foster, Hale, Hamlin, Harlan, Hunter, Jones, King, Pugh, Rice, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson.

A debate arising,

On motion by Mr. Fitzpatrick, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 23
Nays..... 18

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bigler, Bright, Clay, Clingman, Crittenden, Davis, Hayne, Houston, Iverson, Johnson, of Tennessee, Jones, Kennedy, Mason, Pearce, Polk, Reid, Rice, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Chandler, Collamer, Durkee, Foster, Hale, Hamlin, Harlan, King, Pugh, Sebastian, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

So the Senate adjourned.

FRIDAY, MAY 28, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary :

To the Senate of the United States :

I transmit herewith, in compliance with the resolution of the Senate of the 19th of May, a communication from the Secretary of the Navy, with copies of the correspondence, &c., as afforded by the files of the department.

JAMES BUCHANAN.

WASHINGTON, *May* 27, 1858.

The message was read.

Ordered, That it lie on the table.

On motion by Mr. Foot, that the message be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, information respecting frauds on the revenue committed by the commercial house of Simon De Visser and José Villarubia, of New Orleans ; which was read.

On motion by Mr. King, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, information respecting the appointment of Alexander G. Penn and Emile La Sere, as disbursing agents at New Orleans, the nature of their services, and the compensation they receive ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Wilson, that the report be printed,
Ordered, That it be referred to the Committee on Printing.

Mr. Seward presented papers in relation to the claim of John W. Geary for the reimbursement of money expended while governor of the Territory of Kansas; which were referred to the Committee on Finance.

The Vice President laid before the Senate a letter of the Chief Clerk of the Court of Claims, returning, in compliance with a resolution of the Senate, the papers in the case of Alexander J. Atocha; which was read.

Ordered, That it lie on the table.

Mr. Seward asked and, by unanimous consent, obtained leave to bring in the following resolution; which was read and passed to a second reading.

Resolved, The House of Representatives concurring, that the resolution directing the President of the Senate and the Speaker of the House of Representatives to declare their respective Houses adjourned *sine die* on the first Monday of June next, at 12 o'clock m., be, and the same is hereby, rescinded; and that the President of the Senate and the Speaker of the House of Representatives declare the respective Houses adjourned *sine die* on Monday, the 21st of June next, at 12 o'clock m.

Mr. Wade presented a memorial of the clerks, messengers, and watchmen of the Washington navy yard, praying that an appropriation may be made to carry out the law of 1852 and 1854 giving them twenty per cent. additional pay; which was referred to the Committee on Naval Affairs.

Mr. Jones presented a memorial of Hosea B. Horn and others, praying a grant of land on Green river, in the Territory of Utah, for the purpose of settlement; which was referred to the Committee on Public Lands.

Mr. Jones presented the memorial of Jonas P. Levy, for himself and others who were engaged in mining operations at the Pedrigal mines, in Mexico, praying that the President may be authorized to compel the Mexican government to liquidate their claims; which was referred to the Committee on Foreign Relations.

On motion by Mr. Jones,

Ordered, That the petition and papers of Mary E. Larnard be re-committed to the Committee on Pensions.

Mr. Brown presented a memorial of the principal business men on Pennsylvania avenue, in Washington city, representing that a railroad along that avenue is not asked for nor wished by the great body of the citizens of Washington; which was referred to the Committee on the District of Columbia.

On motion by Mr. Brown,

Ordered, That Thomas Halenan have leave to withdraw his petition and papers.

Mr. Pugh presented the petition of Joseph Taylor, postmaster at Gratis, Ohio, praying to be released from responsibility for postage stamps destroyed by fire while in his possession; which was referred to the Committee on Post Offices and Post Roads.

Mr. Pugh presented a petition of citizens of New York, praying that the public lands may be laid out in farms or lots for the free and exclusive use of actual settlers.

Ordered, That it lie on the table.

Mr. Bigler presented a memorial of the Magnetic and New England Union Telegraph Companies, in reply to the remonstrance of the American Telegraph Company, correcting certain errors and fallacies of that company, and asking further legislation by Congress; which was referred to the Committee on the Judiciary.

On motion by Mr. Bigler,

Ordered, That the heirs of Andrew Gardner have leave to withdraw their petition and papers.

Mr. Harlan presented a petition of citizens of Iowa, praying the establishment of a mail route between Grinnell and Marietta in that State; which was referred to the Committee on Post Offices and Post Roads.

Mr. Seward presented papers in relation to the removal of the offices belonging to the United States, and occupied in the collection of the revenue at the present quarantine station in the port of York, to the new quarantine site; which were referred to the Committee on Finance.

Mr. Pearce submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the propriety of establishing a post route from Smyrna, in Delaware, via Chesterville, in Kent county, Maryland, to Chestertown, in the same county.

Mr. Green submitted the following resolution for consideration:

Resolved, That the Secretary of the Treasury be requested to report to the Senate at the commencement of the next session of Congress, a full and complete list of all collection districts for the collection of duties on imports, showing in each district,

1st. The amount of revenue annually collected.

2d. The amount expended for salaries of officers and employés annually, and,

3d. The amount expended for custom-houses, or rents of offices and warehouses; also, that he state what custom-houses, or ports of entry or delivery can be dispensed with, with a proper regard to economy and the security of the collection of the revenue, and consistently with commercial interests; or what modification of the laws is necessary for the public interests in relation to the collection of customs.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of a law authorizing the sale of the bonds of the State of Arkansas, now held in trust by the United States, and report by bill or otherwise.

Mr. Gwin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of making an appropriation to preserve the works

heretofore commenced to protect the harbor of San Diego; also, to survey the rivers and harbors in the State of California.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred a message of the President of the United States, relative to the recent search or seizure of American vessels by British armed cruisers in the Gulf of Mexico, and who were instructed by a resolution of the Senate to inquire into the subject, submitted a report (No. 285) accompanied by the following resolutions:

Resolved, as the judgment of the Senate, That American vessels on the high seas, in time of peace, bearing the American flag, remain under the jurisdiction of the country to which they belong; and, therefore, any visitation, molestation, or detention of such vessels by force, or by the exhibition of force, on the part of a foreign power, is in derogation of the sovereignty of the United States.

Resolved, That the recent and repeated violations of this immunity, committed by vessels-of-war belonging to the navy of Great Britain, in the Gulf of Mexico and the adjacent seas, by firing into, interrupting, and otherwise forcibly detaining them on their voyage, requires, in the judgment of the Senate, such unequivocal and final disposition of the subject by the governments of Great Britain and the United States touching the rights involved, as shall preclude, hereafter, the occurrence of like aggressions.

Resolved, That the Senate fully approves the action of the Executive in sending a naval force into the infested seas with orders "to protect all vessels of the United States on the high seas from search or detention by the vessels-of-war of any other nation." And it is the opinion of the Senate that, if it becomes necessary, such additional legislation should be supplied in aid of the executive power as will make such protection effectual.

Ordered, That the report be printed.

Mr. Stuart, from the Committee on Public Lands, to whom were referred the following bills:

S. 11. Bill making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad from Keokuk to Fort Madison, through the southern tier of counties in said State to the Missouri river;

S. 12. Bill making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad from McGregor's landing to the western boundary of said State;

S. 33. Bill to authorize the State of Iowa to apply the unsold lands heretofore granted for the improvement of the navigation of the Des Moines river to the construction of the railroad in the valley of said river;

S. 63. Bill making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State;

S. 231. Bill granting public lands to the Territories of Kansas and Nebraska, to aid in the construction of railroads in said Territories;

S. 236. Bill granting public lands to the Territory of Kansas, for the purpose of constructing certain railroads therein; reported them without amendment, and that they ought not to pass.

On motion by Mr. Stuart,

Ordered, That the said bills lie on the table.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the following memorials and petitions, and that they lie on the table:

Memorial of the legislature of Minnesota in favor of a homestead, presented May 15;

Petition of citizens of Albany in favor of granting homesteads to actual settlers, presented March 24;

Two petitions of citizens of Cincinnati, Ohio, in favor of granting homesteads to actual settlers, presented March 29;

Petition of citizens of Hopkinsville, Ohio, in favor of granting homesteads to actual settlers, presented February 17;

Petition of citizens of West Elkton, Ohio, in favor of granting homesteads to actual settlers, presented March 1;

Memorial of the legislature of Iowa, praying a grant of land for the McGregor, St. Peter's, and Missouri railroad, presented February 23;

Memorial of the legislature of Iowa, of a like import, presented December 12;

Memorial of the legislature of Iowa, praying a grant of land to aid in the construction of a railroad from Fort Dodge to Sioux Falls, presented April 2;

Memorial of the legislature of Missouri, praying a grant of land to aid in the construction of a railroad, presented December 17;

Memorial of the legislature of Wisconsin, praying a grant of land to the Mineral Point and Portage city railroad, presented May 10;

Memorial of the mayor and board of common council of the city of Atchison, praying aid in the construction of a railroad, presented April 7;

Memorial of the president and directors of the Metropolitan Railroad Company, praying an act of incorporation and the grant of land, presented April 8;

Memorial of citizens of Clark county, Missouri, remonstrating against the appropriation of certain lands for the improvement of Des Moines river to the construction of a railroad, presented February 24;

Memorial of Chamber of the Commerce of St. Louis, Missouri, that certain lands be granted for the construction of the Keokuk and Fort Des Moines railroad, presented May 20;

Petition of citizens of Burlington, Iowa, for aid in the construction of railroads in Nebraska, presented February 18;

Petition of citizens of Dubuque, Iowa, for aid in the construction of railroads in Nebraska, presented January 21;

Five petitions of citizens of Iowa, praying for a grant of land to the McGregor, St. Peter's, and Missouri river railroad, presented February 17;

Memorial of citizens of Iowa Falls, praying for a grant of land to aid in the construction of railroads west of the Missouri, presented January, 27;

Memorial of citizens of Fort Dodge, Iowa, of a like import, presented January 27;

Two memorials of citizens of Sioux city, Iowa, of a like import, presented February 11;

Petition of citizens of Dubuque, Iowa, for aid to the Territory of Nebraska in the construction of a railroad, presented January 4 ;

Memorial of the legislature of Iowa, in favor of restricting the sale of public lands to actual settlers, presented March 1 ;

Resolution of the legislature of Iowa, in favor of granting homesteads to actual settlers, presented March 10 ;

Memorial of citizens of New York, in favor of granting homesteads to actual settlers, presented February 9 ;

Memorial of citizens of New York, of a like import, presented February 10 ;

Memorial of citizens of New York, of a like import, presented April 8 ;

Petition of citizens of New York and New Jersey, of like import, presented February 17 ;

Petition of citizens of New York, of like import, presented March 29 ;

Petition of citizens of New York, of like import, presented March 30 ;

Petition of citizens of New York, of like import, presented February 16 ;

Petition of citizens of the United States, of like import, presented February 8 ;

Petition of citizens of Terryville, Connecticut, of like import, presented February 4 ;

Petition of citizens of New York, of like import, presented February 1 ;

Petition of citizens of New York of like import, presented May 11 ;

Petition of citizens of New York, of like import, presented May 11 ;

Petition of citizens of Morrow county, Ohio, of like import, presented February 11 ;

Memorial of the legislature of Wisconsin, praying a donation of land to the Territory of Nebraska, to aid in the construction of railroads, presented February 24 ;

Resolution of the legislature of Iowa, praying a grant of land to aid in the construction of a railroad between the State of Iowa and Sioux city, on the Missouri river, presented March 1 ;

Memorial of the legislature of Iowa, praying a donation of land to the Territory of Nebraska, to aid in the construction of a railroad, presented March 1 ;

Resolution of the legislature of Iowa, asking a grant of land for a railroad between Prairie du Chien and Mankota, presented February 24 ;

Memorial and resolution of the legislature of Iowa, relative to a grant of land for the improvement of navigation of Des Moines river, presented April 16 ;

Four memorials of citizens of Iowa, that land be granted to aid in the construction of the Keokuk and Des Moines railroad, presented February 8 ;

Two petitions of citizens of Missouri, against any change in the application of land granted for the improvement of the Des Moines river, presented May 19 ;

Petition of citizens of Warsaw, Illinois, of like import, presented May 21 ;

Petition of citizens of Missouri, of like import, presented May 13.

On motion by Mr. Polk, to reconsider the vote on the bill (H. R. 482) entitled "An act regulating the compensation of the officers and marines of the revenue cutters,"

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Brown asked and, by unanimous consent, obtained leave to bring in a bill (S. 414) to re-imburse the corporation of Georgetown, in the District of Columbia, a sum of money advanced towards the construction of the Little Falls bridge; which was read the first and second times, by unanimous consent, and referred to the Committee on the District of Columbia.

Mr. Sebastian asked and, by unanimous consent, obtained leave to bring in a bill (S. 415) to extend the principles of the pre-emption act to certain lands herein mentioned, and for other purposes; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Sebastian asked and, by unanimous consent, obtained leave to bring in a bill (S. 416) for the relief of Mark W. Izard; which was read the first and second times, by unanimous consent, and referred, with the accompanying papers, to the Committee on Territories.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred a resolution to compensate Willis A. Gorman for certain services, reported a bill (S. 417) for the relief of Willis A. Gorman; which was read and passed to a second reading.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of a petition of citizens of Michigan relative to a division of the Indian agency in that State, and a petition of citizens of Michigan in favor of granting a homestead to certain mixed blood Indians.

Mr. Iverson asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 46) authorizing the payment of certain moneys to certain Cherokee Indians remaining east of the Rocky mountains; which was read the first and second times, by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Pugh, from the committee on Public Lands, to whom was referred the bill (S. 387) for the better regulation of sales and entries of the public lands, and to limit the fees of registers and receivers at the several land offices, reported it without amendment.

On motion by Mr. Polk,

Ordered, That the memorial of Wilson & Brothers, on the files of the Senate, be referred to the Committee on Finance.

Mr. Jones reported from the committee that they had examined, and found duly enrolled the bill (H. R. 170) for extending the land laws east of the Cascade mountains, in Oregon and Washington Territories.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills; in which it requests the concurrence of the Senate:

H. R. 243. An act making appropriations for the support of the army for the year ending the 30th of June, 1859;

H. R. 556. An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859;

H. R. 558. An act making appropriations for the transportation of the United States mail, by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859.

The House of Representatives insists upon its amendment to the 23d amendment of the Senate to the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th June, 1859, disagreed to by the Senate, and upon its disagreement to the 1st, 4th, 5th, 6th, 11th, 12th, 21st, 25th, 26th, 27th, and 30th amendments of the Senate to the said bill; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. J. Glancy Jones, Mr. V. B. Horton and Mr. James Jackson, managers at the same on its part.

The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 170,) I am directed to bring it to the Senate for the signature of its President.

The bills from the House of Representatives (H. R. 243, H. R. 556, and H. R. 558) were read the first and second times, by unanimous consent, and referred to the Committee on Finance.

The Vice President signed the enrolled bill (H. R. 170) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

On motion by Mr. Hunter, that the consideration of the bills on the private calendar, assigned for this day, be postponed, to consider the bill (H. R. 200) making appropriations for sundry civil expenses of government for the year ending 30th June, 1859,

It was determined in the affirmative, { Yeas..... 31
Nays 18

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Bright, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Fessenden, Fitzpatrick, Foot, Foster, Hale, Harlan, Hunter, Johnson, of Arkansas, Jones, King, Mason, Pearce, Pugh, Reid, Rice, Sebastian, Seward, Slidell, Stuart, Toombs, Wright.

Those who voted in the negative are,

Messrs. Broderick, Brown, Chandler, Douglas, Fitch, Green, Hamlin, Houston, Iverson, Johnson, of Tennessee, Kennedy, Mallory, Polk, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 200) making appropriations for sundry civil expenses of government for the year ending 30th June, 1859.

On motion by Mr. Seward, that the consideration of the bill be postponed until to-morrow, and that the Senate resume the consideration of the bill (S. 343) making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin,

It was determined in the negative, { Yeas..... 17
Nays 32

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Dixon, Douglas, Fessenden,
Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stuart,
Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bigler, Bright, Brown, Clay, Clingman, Collamer,
Crittenden, Davis, Fitch, Fitzpatrick, Green, Gwin, Hayne, Houston,
Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones,
Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Reid, Rice, Sebastian,
Slidell, Toombs, Wright.

The following reported amendment having been agreed to, viz:
strike out in lines 150, 151, 152, and 153, the words: "And provided
also, That no salary or compensation to any person for services in
collecting or distributing seeds, cuttings, &c., shall be paid out of
this appropriation"

On motion by Mr. Pugh, to amend the bill by striking out in sec-
tion 1, lines 141 to 150, the words:

"For collection of agricultural statistics, investigations for pro-
moting agriculture and rural economy, and the procurement of cuttings
and seeds, sixty thousand dollars: Provided, That it shall be the
duty of the Commissioner of Patents to submit to the Secretary of the
Interior, at the commencement of each session of Congress, the in-
voices of seeds and cuttings purchased with the money hereby appro-
priated; and also a statement of expenses in procuring agricultural
statistics, and incidental expenses in procuring seeds, cuttings, and
information,"

It was determined in the negative, { Yeas..... 24
Nays 24

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bright, Broderick, Clay, Davis, Dixon, Fitch, Fitzpatrick,
Green, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennes-
see, Mallory, Mason, Polk, Pugh, Reid, Seward, Shields, Slidell,
Thomson, of New Jersey, Toombs, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bigler, Chandler, Collamer, Crittenden, Fessenden,
Foot, Foster, Hale, Hamlin, Harlan, Houston, Jones, Kennedy, King,
Pearce, Rice, Sebastian, Simmons, Stuart, Thompson, of Kentucky,
Wade, Wright, Yulee.

On motion by Mr. Pugh, to amend the bill by striking out section
1, line 143, the word "sixty" and inserting *twenty*,

It was determined in the affirmative.

The following reported amendment being under consideration, after
line 244, insert:

*For the United States Capitol extension, seven hundred and fifty thou-
sand dollars: Provided, That this appropriation shall not be expended, in
whole or in part, upon the embellishment or decoration of the Capitol ex-
tension, either by painting or sculpture in the panels or niches of the
Senate or House, unless the designs for such embellishment and decoration*

shall have been first submitted to, and approved by, the Joint Committee on the Library of Congress.

A motion was made by Mr. Davis to amend the same, by striking out all after the word "For," and inserting, in lieu thereof,

The completion of the Capitol extension, one million one hundred and eighty-five thousand one hundred and eighty-three dollars and thirty-four cents.

It was determined in the negative, { Yeas 23
Nays 27

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Bright, Broderick, Clay, Crittenden, Davis, Douglas, Fitch, Foot, Foster, Jones, Kennedy, Pearce, Rice, Sebastian, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Allen, Brown, Chandler, Clingman, Collamer, Durkee, Fessenden, Fitzpatrick, Green, Gwin, Hammond, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Polk, Pugh, Reid, Slidell, Trumbull, Wade, Wright.

On motion by Mr. Davis, to amend the said reported amendment, by striking out the following :

"Provided, That this appropriation shall not be expended, in whole or in part, upon the embellishment or decoration of Capitol extension, either by painting or sculpture, in the panels or niches of the Senate or House, unless the designs for such embellishments and decoration shall have been first submitted to, and approved by, the Joint Committee of the Library of Congress,"

It was determined in the affirmative.

The reported amendment, as amended, was then agreed to.

A reported amendment, making appropriations for certain custom-houses, being under consideration,

A motion was made by Mr. King to amend the same; and After debate,

On motion by Mr. Simmons,

The Senate adjourned.

SATURDAY, MAY 29, 1858.

The Vice President laid before the Senate a report of the Secretary of War, communicating, in compliance, with a resolution of the Senate, information relative to the improvement of the channel of the Potomac river ; which was read.

Ordered, That it lie on the table.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the following bills of the Senate :

S. 35. An act for the relief of Michael Kinney, late a private in company I, eighth regiment United States army ;

S. 52. An act for the relief of William B. Trotter ;

S. 59. An act for the relief of James G. Benton, E. B. Babbitt, and James Longstreet, of the United States army ;

S. 67. An act for the relief of Jonas P. Keller ;

S. 70. An act for the relief of John Dick, of Florida ;

S. 74. An act for the relief of J. Willcox Jenkins ;

S. 81. An act for the relief of Laurent Millaudon ;

S. 91. An act to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army ;

S. 92. An act for the relief of George A. O'Brien ;

S. 95. An act explanatory of an act entitled "An act for the relief of Dempsey Pittman," approved August 16, 1856 ;

S. 96. An act for the relief of Susanna T. Lea, widow and administratrix of James Maglenen, late of the city of Baltimore, deceased ;

S. 117. An act for the relief of William Allen, of Portland, in the State of Maine ;

S. 136. An act for the relief of the heirs of John B. Hand ;

S. 145. An act for the relief of Brevet Major James L. Donaldson, assistant quartermaster United States army ;

S. 185. An act for the relief of Anna M. E. Ring, Louisa M. Ring, Cordelia E. Ring, and Sarah J. De Lannoy ;

S. 208. An act for the relief of Fabius Stanley.

The House of Representatives has passed the following bills and joint resolutions ; in which it requests the concurrence of the Senate :

H. R. 42. An act granting a pension to Mary A. M. Jones ;

H. R. C. C. 81. An act for the relief of the heirs of William Turvin, deceased ;

H. R. 169. An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon city and Winchester, in the Territory of Oregon ;

H. R. 344. An act for the relief of Captain Stanton Sholes ;

H. R. 345. An act for the relief of Nancy Magill, of Ohio ;

H. R. 346. An act for the relief of William Sutton ;

H. R. 347. An act for the relief of Joseph Webb ;

H. R. 353. An act for the relief of Eli W. Goff ;

H. R. 356. An act for the relief of Roswell Minard, father of Theodore Minard, deceased ;

H. R. 366. An act for the relief of John Duncan ;

H. R. 446. An act for the relief of D. O. Dickinson ;

H. R. 451. An act for the relief of the legal representatives of Jean Baptiste Devidrine ;

H. R. 452. An act for the relief of Dr. Thomas Antisell ;

H. R. 453. An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy ;

H. R. 455. An act for the relief of Micajah Brooks ;

H. R. 456. An act granting an invalid pension to Brevet Major John Jones, of Tennessee ;

H. R. 457. An act for the relief of Kennedy O'Brien ;

H. R. 458. An act for the relief of Evelina Porter, widow of the late Commodore David Porter, of the United States navy;

H. R. 459. An act granting an invalid pension to Silas Stevens, of Virginia;

H. R. 460. An act granting an invalid pension to Beriah Wright, of New York;

H. R. 461. An act granting an invalid pension to John Lee, of the State of Maine;

H. R. 464. An act for the relief of Cornelius H. Latham;

H. R. 480. An act for the relief of Doctor Ferdinand O. Miller;

H. R. 481. An act for the relief of Dinah Minis;

H. R. 486. An act for the relief of Alonzo and Elbridge G. Colby;

H. R. 490. An act for the relief of Isaac Body and Samuel Fleming;

H. R. 492. An act for the relief of John Dearmit;

H. R. 493. An act for the relief of Stuckey and Rogers;

H. R. 494. An act for the relief of William Doxy and others;

H. R. 496. An act for the relief of the representatives of Henry King, deceased;

H. R. 502. An act for the relief of S. W. and A. A. Turner;

H. R. 503. An act for the relief of Job Stafford, of the State of New York;

H. R. 506. An act for the relief of the administrator of Horatio Boulton, deceased;

H. R. 510. An act for the relief of Doctor George H. Howell;

H. R. 511. An act for the relief of Nehemiah S. Draper and William Holden, heirs at law of Mary Draper, deceased;

H. R. 512. An act for the relief of Elijah Close, of Tennessee;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee;

H. R. 514. An act granting an invalid pension to Conrad Schroeder;

H. R. 515. An act granting an invalid pension to Alexander S. Bean, of Pennsylvania;

H. R. 516. An act for the relief of Michael A. Davenport, of Illinois;

H. R. 518. An act to continue the pension heretofore paid to Mary C. Hamilton, widow of Captain Fowler Hamilton, late of the United States army;

H. R. 520. An act for the relief of William Bullock;

H. R. 522. An act for the relief of Wright Fore;

H. R. 523. An act for the relief of Wyatt Griffith;

H. R. 524. An act for the relief of Francis Carver;

H. R. 525. An act for the relief of Robinson Gammon;

H. R. 526. An act for the relief of Frederick Smith;

H. R. 527. An act for the relief of Phineas G. Pearson;

H. R. 528. An act for the relief of Judith Nott;

H. R. 529. An act for the relief of John C. Rathbun;

H. R. 530. An act for the relief of Stephen Fellows;

H. R. 531. An act for the relief of John Perry, of Illinois;

H. R. 532. An act for the relief of Ebenezer Hitchcock;

H. R. 533. An act for the relief of Shove Chase, of New York;

H. R. 534. An act for the relief of Allen Smith;

H. R. 535. An act for the relief of David Watson;

H. R. 543. An act for the relief of the legal representatives of John McDonough, deceased, late of Louisiana ;

H. R. 547. An act for the relief of Benjamin Wakefield ;

H. R. 569. An act for the relief of Gardner and Vincent and others ;

H. R. 570. An act for the relief of Lieutenant Loomis L. Landon ;

H. R. 571. An act for the relief of David McClure, administrator of Joseph McClure, deceased ;

H. R. 572. An act for the relief of Lewis W. Broadwell ;

H. R. 573. An act for the relief of Thomas Hasam and B. S. Brewster ;

H. R. 575. An act for the relief of Robert A. Davidge ;

H. R. 576. An act for the relief of Captain Douglass Ottinger ;

H. R. 22. Joint resolution for the relief of Michael Pappreniza ;

H. R. 24. Joint resolution for the relief of Henry Orndorf ;

H. R. 25. Joint resolution authorizing the Postmaster General to revise and adjust the accounts of Kimball and Moore, and Moore and Walker.

The President of the United States approved and signed the 10th of May an act (H. R. 62) making appropriations for the support of the Military Academy for the year ending the 30th of June, 1859 ; the 18th of May an act (H. R. 542) to authorize the vestry of Washington parish to take and enclose certain parts of streets in Washington city for the purpose of extending the Washington cemetery, and for other purposes ; and, the 24th of May, the following acts and joint resolution :

H. R. 207. An act to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns ;

H. R. 564. An act to create a land district in the Territory of New Mexico ;

H. R. 100. An act to revive an act entitled " An act for the relief of the heirs, or their legal representatives, of William Conway, deceased ; "

H. R. 214. An act for the relief of Regis Loisel, or his legal representatives ;

H. R. 209. An act for the relief of the representatives of William Smith, deceased, late of Louisiana ;

H. R. 578. An act for the relief of Isaac Drew and other settlers upon the public lands in the State of Wisconsin ;

H. R. 30. Joint resolution for paying the stenographers employed by committees of the House of Representatives ;

H. R. 272. An act for the relief of Brevet Major H. L. Kendrick ;

H. R. 260. An act for the relief of Isaac Carpenter ;

H. R. 327. An act for the relief of the legal representatives of Marie Malines ;

H. R. 217. An act to amend an act entitled " An act granting a pension to Ansel Wilkinson ; "

H. R. 250. An act for the relief of Pierre Gagnon, of Nachitoches, Louisiana ;

H. R. 65. An act for the relief of Thomas Smithers ;

H. R. 225. An act to increase the pension of John Richmond ;

H. R. 211. An act for the relief of the heirs and legal representatives of Pierre Broussard, deceased.

Mr. Polk, from the Committee on Claims, to whom was referred the petition of G. W. Bluford, submitted an adverse report, (No. 280 ;) which was ordered to be printed.

On motion by Mr. Polk,

Ordered, That the Committee on Claims be discharged from the further consideration of the bill (S. 244) for the relief of Henry G. Carson.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the bill (H. R. 254) for the relief of William Hutchenson, and the bill (H. R. 334) for the relief of Simeon Stedman, and that they be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the report of the Court of Claims adverse to the claim of Arthur Edwards, J. Owen, and I. Davis, and that it be referred to the Committee on Post Offices and Post Roads.

Mr. Iverson, from the Committee on Claims, to whom was referred the bill (H. R. 335) for the relief of Susannah Redman, widow of Lloyd Redman, reported it without amendment.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 47) to correct an error in a certain act approved May 11, 1858 ; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole ; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hayne submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of authorizing the appointment of ten cadets at large to the Naval Academy, by the Executive, as provided with reference to the Military Academy.

On motion by Mr. Hale.

Ordered, That the memorial of Georgiana M. Lewis, widow of Armstrong I. Lewis, be recommitted to the Committee on Naval Affairs.

On motion by Mr. Bell,

Ordered, That the joint resolution (S. 26) for the benefit of the nearest male heir of the late Brigadier General Towson, United States army, deceased, be recommitted to the Committee on Naval Affairs.

On motion by Mr. Seward,

Ordered, That there be printed one thousand additional copies of the report of the Committee on Foreign Relations (No. 285) in relation to recent searches and seizures by British cruisers of American vessels in the Gulf of Mexico.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, reported it without amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, reported it with an amendment.

Mr. Mallory, from the Committee on Claims, to whom was referred the memorial of Captain John B. Montgomery, submitted a report, (No. 287,) accompanied by a bill (S. 418) for the relief of Captain John B. Montgomery.

The bill was read and passed to a second reading.

Ordered, That the report be printed

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 413) for the relief of Mrs. Ann Smith, widow of the late Brevet Major General Persifer F. Smith.

On motion by Mr. Slidell,

Ordered, That it be referred to the Committee on Pensions.

Mr. Simmons, from the Committee on Claims, to whom was referred the bill (H. R. 203) for the relief of George W. Biscoe, reported it without amendment.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills and joint resolution of the Senate:

S. 106. An act for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith;

S. 330. An act for the relief of Stephen R. Rowan;

S. 338. An act for the relief of Caleb Sherman;

S. 189. An act for the relief of Rufus Dwinel;

S. 38. Resolution for the relief of John Grayson; and

It has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 462. An act granting an invalid pension to James Fugate, of Missouri;

H. R. 504. An act for the relief of Elizabeth McBrier, only surviving child and heir of Colonel Archibald Loughry, deceased;

H. R. 585. An act to establish certain post roads.

Mr. Jones reported from the committee that they had this day presented to the President of the United States the following enrolled bills and resolution:

H. R. 170. An act for extending the land laws east of the Cascade mountains in Oregon and Washington Territories;

H. R. 231. An act for the relief of Nancy Serena;

S. 99. An act to amend the "Act to incorporate the Columbia Institution for the instruction of the deaf and dumb and the blind," approved February 16, 1857;

H. R. 32. Joint resolution making appropriations to pay the expenses of the several investigating committees of the House of Representatives.

Mr. Seward presented a memorial of E. K. Collins and associates, praying the payment of the amount due them under contract for carrying the mail between New York and Liverpool, with interest; which was referred to the Committee on Post Offices and Post Roads.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed an act (S. 99) to amend the "Act to incorporate the Columbia Institution for the instruction of the deaf and dumb and the blind," approved February 16, 1857.

Ordered, That the Secretary notify the House of Representatives thereof.

The bills and joint resolutions this day received from the House of Representatives for concurrence, were read the first and second times, by unanimous consent.

Ordered, That the bills numbered 42, 344, 345, 346, 347, 366, 455, 456, 457, 458, 459, 460, 461, 462, 464, 512, 513, 514, 515, 516, 518, 520, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, and 535, be referred to the Committee on Pensions; that the bills numbered H. R. C. C. 81, 452, 480, 481, 486, 506, 510, 570, 571, and 575, be referred to the Committee on Claims; that the bills numbered 492, 493, 494, 502, 572, and 585, and the joint resolutions numbered 24 and 25, be referred to the Committee on Post Offices and Post Roads; that the bills numbered 353, 446, 569, 573, and 576, be referred to the Committee on Commerce; that the bills numbered 511, 547, and 453, be referred to the Committee on Naval Affairs; that the bills numbered 169, 490, 503, and 504, be referred to the Committee on Public Lands; that the bills numbered 356, 451, and 543, be referred to the Committee on Private Land Claims; that the bill numbered 496 be referred to the Committee on Revolutionary Claims, and that the joint resolution numbered 22 be referred to the Committee on Foreign Relations.

Mr. Brown reported from the committee that they had examined and found duly enrolled the following bills and resolution :

- S. 67. An act for the relief of Jonas P. Keller;
- S. 70. An act for the relief of John Dick, of Florida;
- S. 74. An act for the relief of J. Willcox Jenkins;
- S. 81. An act for the relief of Laurent Millaudon;
- S. 91. An act to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army;
- S. 92. An act for the relief of George A. O'Brien;
- S. 95. An act explanatory of an act entitled "An act for the relief of Dempsey Pittman," approved August 16, 1856;
- S. 96. An act for the relief of Susanna T. Lea, widow and administratrix of James Maglenen, late of the city of Baltimore, deceased;
- S. 106. An act for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith;
- S. 117. An act for the relief of William Allen, of Portland, in the State of Maine;
- S. 136. An act for the relief of the heirs of John B. Hand;
- S. 145. An act for the relief of Brevet Major James L. Donaldson, assistant quartermaster, United States army;
- S. 185. An act for the relief of Anna M. E. Ring, Louisa M. Ring, Cornelia E. Ring, and Sarah J. de Lannoy;
- S. 189. An act for the relief of Rufus Dwinel;
- S. 208. An act for the relief of Fabius Stanley;

S. 330. An act for the relief of Stephen R. Rowan ;

S. 338. An act for the relief of Caleb Sherman ;

S. 35. An act for the relief of Michael Kinney, late a private in company I, 8th regiment, United States army ;

S. 52. An act for the relief of William B. Trotter ;

S. 59. An act for the relief of James G. Benton, E. B. Babbitt, and James Longstreet, of the United States army ;

S. 38. A resolution for the relief of John Grayson.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The Speaker of the House of Representatives having signed twenty enrolled bills and an enrolled resolution, I am directed to bring them to the Senate for the signature of its President.

The House of Representatives has passed a joint resolution (H. R. 31) authorizing Commander M. F. Maury to accept a gold medal awarded to him by the Emperor of Austria, in which it requests the concurrence of the Senate.

The Senate proceeded to consider the resolutions reported by the Committee on Foreign Relations, relative to the recent aggressions by British cruisers on the commerce of the United States.

An amendment to the second resolution having been proposed by Mr. Hale,

A motion was made by Mr. Wilson to amend the same.

After debate,

The time arrived for the consideration of the special order.

On motion by Mr. Mason, that the special order of the day and the prior general orders be postponed, to continue the consideration of the resolutions reported by the Committee on Foreign Relations.

It was determined in the negative, { Yeas..... 20
Nays 32

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Brown, Durkee, Fitch, Fitzpatrick, Harlan, Houston, Johnson, of Tennessee, Kennedy, King, Mallory, Mason, Rice, Sebastian, Seward, Shields, Thomson, of New Jersey, Toombs, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Bell, Bigler, Bright, Broderick, Chandler, Clark, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Hammond, Hayne, Hunter, Iverson, Jones, Pearce, Pugh, Reid, Simmons, Slidell, Stuart, Thompson, of Kentucky, Wade, Wright.

So the motion by Mr. Mason was not agreed to ; and

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859.

On motion by Mr. King, to amend the amendment reported by the Committee on Finance making appropriations for certain custom-houses, by inserting :

The Secretary of the Treasury is required to execute the provisions of the acts of Congress, approved August 16, 1856, and March 3, 1857,

authorizing and directing the said Secretary to cause to be constructed buildings therein mentioned for custom-house and post-office purposes, and for the accommodation of the courts of the United States, and the appropriations made by the said acts are continued for the purpose of the execution of the said provisions of said laws,

It was determined in the negative, { Yeas..... 13
Nays 29

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Dixon, Durkee, Foot, Foster, Hamlin, Harlan, King, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bigler, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, Mallory, Pearce, Pugh, Reid, Rice, Sebastian, Slidell, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

The amendment reported by the Committee on Finance was then agreed to.

On motion by Mr. Hunter, from the Committee on Finance, to amend the bill by inserting :

For paying the expenses of the commissioners appointed in pursuance of the joint resolution of the 26th of February, 1857, to inquire into and test the processes of J. T. Barclay for preventing the counterfeiting of the coins of the United States, in addition to the sum appropriated by said resolution, eight hundred dollars,

On motion by Mr. Toombs to amend the proposed amendment by adding thereto the following :

And one thousand two hundred dollars to the said J. T. Barclay, for the payment of his expenses for attending at the mint for that purpose,

It was determined in the negative, { Yeas..... 22
Nays 23

On motion by Mr. Davis,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Broderick, Clingman, Collamer, Dixon, Durkee, Foot, Gwin, Harlan, Hayne, Houston, Rice, Sebastian, Seward, Simmons, Stuart, Toombs, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Bright, Brown, Chandler, Clay, Davis, Fessenden, Fitch, Fitzpatrick, Foster, Green, Hamlin, Hammond, Hunter, Iverson, Johnson, of Tennessee, Mason, Pearce, Pugh, Reid, Slidell, Thomson, of New Jersey, Trumbull, Wright.

The amendment proposed by Mr. Hunter was then agreed to.

The bill having been amended, and further amendments being proposed,

On motion by Mr. Toombs,

The Senate adjourned.

MONDAY, MAY 31, 1858.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the following bills, in which it requests the concurrence of the Senate :

H. R. 219. An act for the relief of William Heine, artist in the Japan expedition ;

H. R. 229. An act for the relief of Samuel Goodrich, jr. ;

H. R. 230. An act for the relief of Mary Bennett ;

H. R. 233. An act for the relief of Sylvanus Burnham ;

H. R. 238. An act for the relief of the heirs of Richard Tarvin ;

H. R. 239. An act for the relief of Zina Williams ;

H. R. 245. An act for the relief of A. Baudouin and A. D. Robert ;

H. R. 258. An act for the relief of Augustus J. Kuhn ;

H. R. 267. An act for the relief of Timothy L. O'Keeffe ;

H. R. 269. An act for the relief of David Bruce ;

H. R. 277. An act for the relief of Mary Boyle ;

H. R. 321. An act for the relief of John B. Roper ;

H. R. 324. An act to allow the legal representatives of Samuel Jones five years full pay, in lieu of half pay for life.

The Vice President signed the twenty enrolled bills and the enrolled resolution reported to have been examined the 29th instant, and they were delivered to the committee to be presented to the President of the United States.

The following message was received from the President of the United States by Mr. Henry, his secretary :

To the Senate of the United States:

I transmit a report from the Secretary of State, with accompanying papers, in answer to the resolution of the Senate of the 22d instant, requesting information in regard to the seizure of the American vessel Panchita, on the coast of Africa.

JAMES BUCHANAN.

WASHINGTON, May 29, 1858.

The message was read.

Ordered, That it lie on the table.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, information in relation to the pay of the naval officers whose cases were acted on by the late naval court of inquiry and the President, and who have been advanced to a higher grade and pay than that assigned them by the late "Retiring Board," though not restored to the active service list, with a list of such officers, and the positions assigned them by said board, and those they now hold ; which was read.

Ordered, That it lie on the table.

On motion by Mr. Iverson, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Brown presented a petition of citizens of Washington, who are

property holders on Pennsylvania avenue, or engaged in business thereon, praying that the bill passed by the House of Representatives for a railroad on said avenue may become a law ; which was referred to the Committee on the District of Columbia.

Mr. King presented a petition of Samuel S. Powell and others, praying an examination of Samuel Nowlan's plan for bridging the East river at New York ; which was referred to the Committee on Commerce.

Mr. Hunter submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That on and after to-morrow, the Senate will take a recess each day from 4 until 6 o'clock, p. m., until otherwise ordered.

Mr. Wade submitted the following resolution for consideration :

Resolved, That no member of the Senate shall speak more than five minutes on any question, except on leave of the Senate, to be granted or refused without debate.

Mr. Jones submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing a post route from Sioux city, Iowa, via the mouth of the Vermillion river and the lower crossing of James river, at the present established ferries on those rivers, to Fort Randall, Nebraska Territory ; also from Neobrara, Nebraska Territory, to Fort Randall, Nebraska Territory, (four miles.)

Mr. Chandler presented the petition of citizens of Shiawassee county, Michigan, praying an extension of the mail route from Chesaning to St. Charles ; which was referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Stuart,

Ordered, That Thomas Henderson have leave to withdraw certain papers relating to his claim, provided he leave copies of the same in the office of the Secretary.

On motion by Mr. Fitzpatrick,

Ordered, That Edward D. Tippet have leave to withdraw his petition and papers.

On motion by Mr. King,

Ordered, That John A. Pitts and Hiram Pitts have leave to withdraw certain papers filed with their petition.

Mr. Kennedy submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President of the United States be requested to inform the Senate, before the adjournment of Congress, if not incompatible with the public interest, whether the government of the United States has, in its correspondence with his excellency the Peruvian minister, recognized that a state of civil war existed in Peru during the late struggle between Vivanco and Costella, and whether any and what measures have been taken to protect American interests in cargoes of guano purchased from Vivanco, or his officers or agents, during his occupation of any of the guano islands within the territory of Peru.

And be it further resolved, That the President be requested, if not incompatible with the public interest, to communicate to the Senate,

before the close of the present session, the correspondence which may have taken place between this government and the government or minister of Peru to the United States on this subject.

Mr. Kennedy submitted the following resolution ; which was considered, by unanimous consent and agreed to :

Resolved, That the Committee on Naval Affairs be instructed to inquire into the propriety of increasing the compensation of the secretary of the naval school at Annapolis, in consideration of extra duties devolving upon that officer.

Mr. Kennedy presented papers in relation to the foregoing resolution ; which were referred to the Committee on Naval Affairs.

Mr. Cameron submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of reporting an amendment providing an appropriation to the army bill to authorize the Secretary of War to adopt and apply to the present or future arms of the United States the priming apparatus invented by Jesse S. Butterfield, of Philadelphia.

Mr. Davis submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Naval Affairs be instructed to inquire into, and report upon, the expediency of providing for the construction of steam engines suitable for the propulsion of vessels-of-war, in order that the government may at all times have in depot a supply of such engines adequate to its probable wants whenever the occurrence of war shall render necessary a rapid and large increase of the navy.

On motion by Mr. Mason, that the message of the President in relation to the seizure of the American vessel Panchita be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Broderick presented a resolution of the legislature of California, in favor of the appointment of American consuls at the ports of Guaymas, Mazatlan, Manzanillo, and La Paz, in Mexico ; which was referred to the Committee on Commerce.

Mr. Broderick presented resolutions of the legislature of California, in favor of an appropriation for paying the bonds issued by that State for expenses incurred in the suppression of Indian hostilities within her bounds ; which were referred to the Committee on Claims.

Mr. Broderick presented resolutions of the legislature of California, in favor of the appointment of a commissioner on the part of the United States to act with a commissioner on the part of California in ascertaining and fixing the boundary line between that State and the Territory of Utah ; which were referred to the Committee on Territories.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the following bill and resolutions of the Senate :

S. 102. An act for the relief of Thomas Phenix, jr.;

S. 47. A resolution to correct an error in a certain act approved May 11, 1858;

S. 28. A resolution for the adjustment of differences with the republic of Paraguay; and

It has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859;

H. R. 476. An act for the relief of James Rumph.

The bills this day received from the House of Representatives for concurrence were read the first and second times, by unanimous consent.

Ordered, That the bills numbered 229, 230, 233, 239, 258, 267, and 277, be referred to the Committee on Pensions; that the bill numbered 219 be referred to the Committee on Naval Affairs; that the bill numbered 324 be referred to the Committee on Revolutionary Claims; that the bill numbered 321 be referred to the Committee on Post Offices and Post Roads; that the bill numbered 269 be referred to the Committee on Patents and the Patent Office; that the bills numbered 238, 245, and 476, be referred to the Committee on Claims, and that the bill numbered 557 be referred to the Committee on Finance.

The joint resolution (H. R. 31) authorizing Commander M. F. Maury to accept a gold medal awarded to him by the Emperor of Austria, was read the first and second times, by unanimous consent, and referred to the Committee on Foreign Relations.

On motion by Mr. Sebastian,

Ordered, That the papers relating to the establishment of two separate Indian superintendencies in Oregon and Washington Territories be recommitted to the Committee on Indian Affairs.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the joint resolution (S. 46) authorizing the payment of certain moneys to certain Cherokee Indians remaining east of the Rocky mountains, and the bill (S. 201) to execute the treaties of 1817 and 1819 with the Cherokees, by making provisions for the reservations under the same.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the petition of citizens of New York relative to the adoption of measures for the improvement of the American Indians.

Mr. Iverson, from the Committee on Claims, to whom was referred the bill (H. R. C. C. 65) for the relief of Benjamin L. McAtee and J. N. Eastham, of Louisville, Kentucky, reported it without amendment.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom were referred the following bills and joint resolution:

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory;

H. R. 332. An act for the relief of Richard B. Alexander;

H. R. 334. An act for the relief of Simeon Stedman;

H. R. 10. Joint resolution for the relief of General Sylvester Churchill, reported them without amendment.

Mr. Foster, from the Committee on Pensions, to whom were referred the bill (S. 110) for the relief of Mrs. Jane Turnbull, and the bill (S. 229) for the relief of Jane Turnbull, reported them without amendment, and that they ought not to pass.

Mr. Foster, from the Committee on Public Lands, to whom were referred the petition of Thomas Jones and others, of Clermont county, Ohio, the petition of Lemuel Worster, the petition of Mary S. Taylor, the petition of Eliphalet Lyman, the memorial of William Fleming for himself and the marine artillery of the war of 1812, and the petition of Henrietta Carroll, reported adversely thereon.

On motion by Mr. Mallory,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the bill (H. R. 511) for the relief of Nehemiah S. Draper and William Holden, heirs at law of Mary Draper, deceased, and that it be referred to the Committee on Pensions.

Mr. Mallory from the Committee on Naval Affairs, to whom were referred the following bills:

H. R. 547. An act for the relief of Benjamin Wakefield;

H. R. 453. An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy, reported the same without amendment.

On motion by Mr. King,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Thomas Jenkins, the petition of Joseph Plummer, and the petition of Frank Madison.

Mr. Pugh, from the Committee on Public Lands, to whom were referred the following bills:

H. R. 169. An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon city and Winchester, in the Territory of Oregon.

H. R. 490. An act for the relief of Isaac Body and Samuel Fleming;

H. R. 503. An act for the relief of Job Stafford, of the State of New York;

H. R. 504. An act for the relief of Elizabeth McBrier, only surviving child and heir of Colonel Archibald Loughry, deceased, reported the same without amendment.

Mr. Mason submitted the following resolution for consideration:

Resolved, That the Senate will proceed on Friday next, at 12 o'clock m., to the consideration of the resolutions reported by the Committee on Foreign Relations, touching the alleged aggressions of British armed vessels on the commerce of the United States in the Gulf of Mexico and adjacent seas, to the exclusion of all other business.

On motion by Mr. Mason, that the Senate proceed to the consideration of the resolutions reported by the Committee on Foreign Relations relating to the recent aggressions by British cruisers on the commerce of the United States,

It was determined in the affirmative, { Yeas..... 33
Nays..... 21

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bright, Broderick, Brown, Cameron, Clay, Davis, Fitch, Fitzpatrick, Foot, Gwin, Hale, Hammond, Houston, Johnson, of Tennessee, King, Mallory, Mason, Polk, Reid, Rice, Sebastian, Seward, Shields, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wilson, Wright.

Those who voted in the negative are,

Messrs. Bigler, Chandler, Clark, Collamer, Crittenden, Dixon, Fessenden, Foster, Green, Hamlin, Harlan, Hunter, Iverson, Jones, Kennedy, Pearce, Pugh, Simmons, Thompson, of Kentucky, Trumbull, Wade.

So the Senate proceeded to consider the said resolutions.

After debate,

The hour arrived for the consideration of the special order of the day.

On motion by Mr. Mason, that the special order of the day be postponed until two o'clock this day,

It was determined in the negative.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending 30th June, 1859.

On motion by Mr. Brown, to amend the bill, section 1, line 201, by striking out the word "Potomac,"

It was determined in the negative, { Yeas.. 21
Nays. 29

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Bright, Brown, Chandler, Clay, Fessenden, Foot, Foster, Johnson, of Tennessee, Kennedy, Mallory, Polk, Pugh, Rice, Seward, Slidell, Stuart, Thompson, of Kentucky, Wilson, Wright.

Those who voted in the negative are,

Messrs. Allen, Bigler, Broderick, Clark, Clingman, Collamer, Crittenden, Davis, Dixon, Durkee, Fitzpatrick, Green, Hamlin, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Mason, Reid, Sebastian, Simmons, Thomson, of New Jersey, Toombs, Trumbull, Wade, Yulee.

On motion by Mr. Mason, from the Committee on Foreign Relations, to amend the bill by inserting a new section, as follows:

SEC. —. *And be it further enacted, That the proper accounting officers of the treasury be directed to ascertain, as among the expenditures of the State of Maine in defending the territory heretofore in dispute with Great Britain, the amounts paid in borrowing money for those expenditures beyond the rate of six per centum per annum, whether in the form of discounts or otherwise, in all cases in which the principal of such expenditures and interest upon them at the rate of six per centum have heretofore been refunded to the said State by the United States; and that the Secretary of the Treasury be directed to pay the amount so ascertained, out of any moneys in the treasury not otherwise appropriated, to any properly authorized officer of said State. In making the ascertainment herein directed, the accounting officers shall compute the principal and interest of the difference between the cash received by Maine in nego-*

tiating stocks and notes and the nominal amount of such stocks and notes and the interest accrued thereon; and in cases where Maine was obliged, in negotiating for moneys, to increase the rate of interest on previous loans, the amount of such increase shall be computed and allowed, but not so as to reckon interest upon interest,

It was determined in the affirmative, { Yeas 42
Nays 7

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Hammond, Harlan, Hayne, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, King, Mallory, Mason, Polk, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Davis, Green, Gwin, Hunter, Pugh, Slidell, Toombs.

On motion by Mr. Mason, from the Committee on Foreign Relations, to amend the bill by inserting :

And in the settlement of the accounts of the minister plenipotentiary from the United States to France there shall be allowed and paid to him, from the first day of July, eighteen hundred and fifty-five, to the first day of January, eighteen hundred and fifty-seven, such sum as will make his salary for the period mentioned equal to that allowed to the minister of the United States at London.

Mr. Pugh raised a question of order, whether the amendment was in order under the 30th rule?

The President (Mr. Stuart in the chair) decided that it was not in order.

From this decision Mr. Mason appealed; and

On the question, "Shall the decision of the chair stand as the judgment of the Senate?"

It was determined in the affirmative.

On motion by Mr. Mason, from the Committee on Foreign Relations, to amend the bill by inserting the following :

SEC. —. *And be it further enacted, That all diplomatic and salaried consular officers who were appointed under the act entitled "An act to remodel the diplomatic and consular systems of the United States," approved March 1, 1855, shall have the same compensation during the time necessarily occupied in making the transit to, and returning from, their respective posts, and while they were receiving their instructions, as is provided for diplomatic and salaried consular officers, in the 8th section of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August 18, 1856: Provided, That the foregoing shall not be construed to apply to any diplomatic or consular officer who was in office and at his post of duty when said act, approved March 1, 1855, took effect, except to allow compensation to such officers during the time necessarily occupied in returning from their respective posts.*

A question of order was raised by Mr. King, under the 30th rule.

The President (Mr. Stuart in the chair) decided that it was in order.
On the question to agree to the amendment,

It was determined in the negative, { Yeas 17
Nays 34

On motion by Mr Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Broderick, Collamer, Fessenden, Foot, Hammond, Iverson, Jones, Kennedy, Mallory, Mason, Polk, Seward, Thomson, of New Jersey, Wright.

Those who voted in the negative are.

Messrs. Bayard, Benjamin, Bright, Brown, Cameron, Chandler, Clark, Clay, Clingman, Crittenden, Davis, Dickson, Durkee, Foster, Green, Hale, Harlan, Houston, Hunter, Johnson, of Tennessee, King, Pearce, Pugh, Reid, Rice, Simmons, Slidell, Stuart, Thompson, of Kentucky, Toombs, Trumbull, Wade, Wilson, Yulee.

On motion by Mr. Douglas, from the Committee on Territories, to amend the bill by inserting :

For the payment to Robert J. Walker, late governor of Kansas Territory, for extraordinary expenses to which he was subjected in that Territory, seven thousand and three dollars, seventy-five cents, or so much thereof as may be necessary,

A question of order was made by Mr. Hunter, whether it was in order under the 30th rule ; and

The President (Mr. Stuart in the chair) decided that it was not in order.

On motion by Mr. Davis, from the Committee on Military Affairs and the Militia, to amend the bill by inserting :

That the Secretary of War be, and he is hereby, authorized and directed to pay each of the officers composing the army board appointed under the sixth section of the act approved August 31, 1852, to adjudicate claims presented to them for funds advanced and subsistence and supplies furnished or taken for the use of Frémont's California battalion, in 1846, such sums of money, for their services and expenses in the discharge of that duty, as he may deem reasonable and just ; and that the same be paid out of any money in the treasury not otherwise appropriated : Provided, The whole amount to be allowed shall not exceed fifteen hundred dollars.

A question of order was made by Mr. Douglas, whether the amendment was in order under the 30th rule ; and

The President (Mr. Stuart in the chair) decided that it was in order.

On the question to agree to the amendment,

It was determined in the negative.

On motion by Mr. Davis, from the Committee on Military Affairs and the Militia, to amend the bill by inserting :

SEC. —. *And be it further enacted, That the sum of five thousand nine hundred and fifty-four dollars and fifty-four cents be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be paid to the State of Georgia, for that amount paid by said State to the companies of Captains John E. Price and Samuel Patterson, called out by the governor of Georgia, in 1838, to protect the citizens against apprehended hostilities of the Cherokee Indians.*

Mr. Hunter made a question of order, whether it was in order, under the 30th rule.

The President (Mr. Stuart in the chair) decided that it was not in order.

From this decision Mr. Iverson appealed; and

On the question, Shall the decision of the chair stand as the judgment of the Senate?

It was determined in the affirmative, { Yeas 24
Nays 14

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Chandler, Collamer, Dixon, Durkee, Foot, Foster, Green, Hale, Harlan, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Mallory, Polk, Pugh, Reid, Seward, Slidell, Trumbull, Wade, Wright.

Those who voted in the negative are,

Messrs. Bright, Broderick, Cameron, Clay, Clingman, Davis, Douglas, Gwin, Hayne, Houston, Iverson, Jones, Rice, Toombs.

So the Senate decided that the proposed amendment was not in order.

On motion by Mr. Iverson to amend the bill by inserting,

SEC. —. *And be it further enacted, That the sum of thirty-five thousand five hundred and fifty-five dollars and forty-two cents, with interest at the rate of six per cent. from the first day of January, eighteen hundred and fifty-eight, be appropriated out of any money in the treasury not otherwise appropriated, to refund to the State of Georgia that sum paid by said State to Peter Trezvant, legal representative of Robert Farquhar, deceased, on account of supplies furnished by said Farquhar to certain troops of said State during the revolutionary war: Provided, That it shall not appear that said State has already received a credit for the purchase of said supplies in any settlement or appropriation heretofore made by the United States.*

Mr. Hunter made a question of order whether the amendment was in order under the 30th rule; and

The President (Mr. Stuart in the chair) decided that it was not in order.

From this decision Mr. Iverson appealed.

The question being put: Shall the decision of the Chair stand as the judgment of the Senate?

It was determined in the affirmative, { Yeas 26
Nays 15

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bigler, Cameron, Chandler, Collamer, Crittenden, Dixon, Durkee, Fessenden, Foot, Foster, Green, Hamlin, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Pugh, Reid, Seward, Slidell, Thompson, of Kentucky, Trumbull, Wade, Wright.

Those who voted in the negative are,

Messrs. Benjamin, Bright, Broderick, Brown, Clay, Davis, Gwin, Hammond, Hayne, Houston, Iverson, Polk, Rice, Thomson, of New Jersey, Toombs.

On motion by Mr. Iverson to amend the bill by inserting the following :

SEC. —. *And be it further enacted, That the proper accounting officers of the treasury be authorized and directed to examine the accounts between the United States and the several States which have been, or may be, allowed interest upon claims against the United States, which have accrued during or since the war of 1812 with Great Britain, and apply in such examination the provisions and principles of the 12th section of the act of March 3, 1857, entitled "An act making appropriations for certain civil expenses of the government for the year ending 30th June, 1858, and that any money found upon such re-examination to be due any State shall be paid to such State out of any money in the treasury not otherwise appropriated.*

Mr. Hunter made a question of order under the 30th rule.

The President (Mr. Stuart in the chair) asked the sense of the Senate agreeably to the 6th rule ; and

The Senate decided that it was in order.

On the question to agree to the amendment,

It was determined in the affirmative, { Yeas..... 33
Nays..... 19

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Bright, Broderick, Collamer, Crittenden, Dixon, Durkee, Fessenden, Fitch, Foot, Foster, Hamlin, Hammond, Harlan, Hayne, Houston, Iverson, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Rice, Seward, Simmons, Thomson, of New Jersey, Toombs, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bigler, Brown, Cameron, Chandler, Clingman, Davis, Fitzpatrick, Green, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Pugh, Reid, Sebastian, Slidell, Stuart, Trumbull.

On motion by Mr. Seward,

To amend the bill, by adding the following additional section :

SEC. —. *And be it further enacted, That the public lands in the Territory of Kansas shall not be offered at public sale until the expiration of one year from and after the first day of November next,*

It was determined in the negative, { Yeas..... 17
Nays 33

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Dixon, Durkee, Fessenden, Foster, Hamlin, Harlan, Kennedy, Rice, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond,

Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Mason, Pearce, Polk, Pugh, Reid, Sebastain, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

The bill having been amended, and further amendments being proposed,

On motion by Mr. Hunter,
The Senate adjourned.

TUESDAY, JUNE 1, 1858.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bill and joint resolutions:

S. 35. An act for the relief of Michael Kinney, late a private in company I, eighth regiment United States army;

S. 52. An act for the relief of William B. Trotter;

S. 59. An act for the relief of James G. Benton, E. B. Babbitt, and James, Longstreet, of the United States army;

S. 67. An act for the relief of Jonas P. Keller;

S. 70. An act for the relief of John Dick, of Florida;

S. 74. An act for the relief of J. Wilcox Jenkins;

S. 81. An act for the relief of Laurent Millaudon;

S. 91. An act to continue a pension to Christine Barnard, widow of the late Brevet Major Moses J. Barnard, United States army;

S. 92. An act for the relief of George A. O'Brien;

S. 95. An act explanatory of an act entitled "An act for the relief of Dempsey Pittman," approved August 16, 1856;

S. 96. An act for the relief of Susanna T. Lea, widow and administratrix of James Maglenen, late of the city of Baltimore, deceased;

S. 106. An act for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith;

S. 117. An act for the relief of William Allen, of Portland, in the State of Maine;

136. An act for the relief of John B. Hand;

S. 145. An act for the relief of Brevet Major James L. Donaldson, assistant quartermaster United States army;

S. 185. An act for the relief of Anna M. E. Ring, Louisa M. Ring, Cordelia E. Ring, and Sarah J. De Lannoy;

S. 189. An act for the benefit of Rufus Dwinel;

S. 208. An act for the relief of Fabius Stanley;

S. 330. An act for the relief of Stephen R. Rowan;

S. 338. An act for the relief of Caleb Sherman;

S. R. 38. A resolution for the relief of John Grayson.

Mr. Seward presented the memorial of John Gardner, agent of the American Timber Bending Company, praying that a commission, to be composed of naval officers and naval constructors, may be appointed to examine Blanchard's patent for bending timber for ships' knees, and, if approved, that the Secretary of the Navy be authorized to purchase the right to it in the construction of ships-of-war; which was referred to the Committee on Naval Affairs.

Mr. Cameron presented two petitions of citizens of Montgomery county, Pennsylvania, praying that sufficient protection may be extended to that branch of American labor engaged in the manufacture of iron ; which were referred to the Committee on Finance.

Mr. Bright presented two petitions of the principal property holders and merchants of Georgetown, District of Columbia, praying that the bill which passed the House of Representatives, for a railroad along Pennsylvania avenue, in the city of Washington, may become a law ; which were referred to the Committee on the District of Columbia.

Mr. Fitch presented the petition of R. F. Hunter, a lieutenant in the army, praying to be allowed a credit in his accounts for certain public money stolen while in his custody ; which was referred to the Committee on Military Affairs and the Militia.

Mr. Bigler presented a petition of citizens of Pennsylvania, praying the establishment of a mail route from Coalmont to Burnt Cabin, in that State ; which was referred to the committee on Post Offices and Post Roads.

Mr. Mallory presented a memorial of residents of Georgetown, District of Columbia, praying that the bill which passed the House of Representatives for a railroad along Pennsylvania avenue, in Washington, may become a law ; which was referred to the Committee on the District of Columbia.

Mr. Bright submitted the following resolution for consideration :

Resolved, That the binders of the Congressional Globe and Appendix for the 34th Congress be paid the same price per volume as is allowed by law for binding the same for the 35th Congress.

The Senate proceeded, by unanimous consent, to consider the said resolution ; and

Ordered, That it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of John Leach, submitted an adverse report, (No. 290 ;) which was ordered to be printed.

Mr. Jones submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Post Offices and Post Roads be instructed to inquire into the expediency of establishing the following post routes :

From Sioux City, in Iowa, via mouth of Big Sioux river, the mouth of James river, and Choteau creek, to Indian agency on the Yancton Sioux reserve, and Fort Randall ;

From Sioux City, via Niobrara, to the Indian agency of the Ponka Indians, and the valley of the Niobrara river, to the South Pass of the Rocky mountains ;

From Sioux City, via Sioux Falls, to the mouth of Snake river ;

From Fort Randall, via the mouth of White Earth river, to the mouth of Little Medicine Knoll river ;

From Sioux Falls to Fort Randall ;

From the mouth of James river, via Blue Earth, Rocky Hill, Sandy Hill, to Wakandapi Hills ;

From Niobrara, via the Ponka reserve, to Chimney Rock.

Mr. Brown reported from the Committee that they had examined and found duly enrolled the following bill and resolutions:

S. 102. An act for the relief of Thomas Phenix, jr.;

S. 28. A resolution for the adjustment of differences with the republic of Paraguay;

S. 47. A resolution to correct an error in a certain act approved May 11, 1858.

Mr. Toombs presented papers in relation to the claim of Israel D. Andrews, late agent of the United States, in reference to the reciprocity treaty with Great Britain; which were referred to the Committee on Foreign Relations.

Mr. Gwin presented a petition of Samuel J. Hensley, praying Congress to recall his papers from the Court of Claims, and to make an appropriation to pay him for cattle purchased of him by O. M. Wozencraft, commissioner and Indian agent of the United States, to fulfil the stipulations of Indian treaties; which was referred to the Committee on Indian Affairs.

Mr. Hunter presented papers in relation to the claim of Majors and Russell, contractors for army transportation, to indemnity for losses of trains, animals, &c., destroyed and run off by the Mormons during the past season; which were referred to the Committee on Military Affairs and the Militia.

Mr. Yulee presented papers in relation to the claim of Captain William H. Payne's company of mounted volunteers to compensation for services during the Seminole war in 1838 and 1839; which were referred to the Committee on Military Affairs and the Militia.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (S. 102) and two enrolled resolutions, (S. 28 and S. 47,) I am directed to bring them to the Senate for the signature of its President.

Mr. Yulee submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia inquire into the claim of Captain William H. Payne's company for service in 1838 and 1839 in the Seminole war.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the bill (S. 402) to restrain and redress outrages upon the flag and citizens of the United States, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and

On motion by Mr. Mason, that the further consideration of the bill be postponed to and made the special order of the day for to-morrow at 12 o'clock,

It was determined in the negative, { Yeas..... 16
Nays..... 37

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,
Messrs. Allen, Bell, Benjamin, Bigler, Clingman, Davis, Green,

Gwin, Houston, Iverson, Kennedy, Mason, Polk, Pugh, Reid, Slidell.

Those who voted in the negative are,

Messrs. Bayard, Bright, Broderick, Brown, Cameron, Chandler, Clark, Clay, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Hale, Hamlin, Hammond, Harlan, Hunter, Johnson, of Arkansas, Jones, King, Mallory, Pearce, Seward, Simmons, Stuart, Toombs, Trumbull, Wade, Wilson, Wright, Yulee.

Mr. Stuart, from the Committee on Public Lands, to whom were referred the memorial of James H. Birch, jr., and the petition of T. D. W. Yonley and others, submitted a report thereon, (No. 289;) which was ordered to be printed.

Mr. Stuart, from the Committee on Public Lands, submitted papers in relation to the petitions of T. D. W. Yonley and James H. Birch.

On motion by Mr. Pugh, that the petition of T. D. W. Yonley and the memorial of James H. Birch, jr., with the accompanying papers, be printed,

Ordered, That they be referred to the Committee on Printing.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the resolution (S. 42) for the adjustment of difficulties with the republics of New Granada, Central America, and Mexico, reported it without amendment,

On motion by Mr. Mason,

Ordered, That the resolution lie on the table.

Mr. Jones, from the Committee on Pensions, to whom were referred the following bills:

H. R. 344. An act for the relief of Captain Stanton Sholes ;

H. R. 347. An act for the relief of Joseph Webb ;

H. R. 455. An act for the relief of Micajah Brooks ;

H. R. 462. An act granting an invalid pension to James Fugate, of Missouri ;

H. R. 512. An act for the relief of Elijah Close, of Tennessee ;

H. R. 514. An act granting an invalid pension to Conrad Schroeder ;

H. R. 515. An act granting an invalid pension to Alexander S. Bean, of Pennsylvania ;

H. R. 523. An act for the relief of Wyatt Griffith ;

H. R. 530. An act for the relief of Stephen Fellows; reported them severally without amendment.

Mr. Thompson, of Kentucky, from the Committee on Pensions, to whom was referred the bill (H. R. 257) to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes, reported it without amendment.

Mr. Thompson, of New Jersey, from the Committee on Pensions, to whom were referred the following bills:

H. R. 42. An act granting a pension to Mary A. M. Jones ;

H. R. 516. An act for the relief of Michael A. Davenport, of Illinois ;

H. R. 518. An act to continue the pension heretofore paid to Mary C. Hamilton, widow of Captain Fowler Hamilton, late of the United States army ;

H. R. 524. An act for the relief of Francis Carver ;

H. R. 525. An act for the relief of Robinson Gammon ;

H. R. 526. An act for the relief of Frederick Smith ;

H. R. 535. An act for the relief of David Watson ; reported them severally without amendment.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the bill (H. R. 522) for the relief of Wright Fore, reported it with an amendment.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 460) granting a pension to Beriah Wright, of New York, reported it without amendment.

Mr. Hale, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 219) for the relief of William Heine, artist in the Japan expedition, reported it without amendment.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom were referred the following bills and joint resolution :

H. R. 492. An act for the relief of John Dearmit ;

H. R. 493. An act for the relief of Stuckey and Rogers ;

H. R. 24. Joint resolution for the relief of Henry Orndorf ; reported them severally without amendment.

Mr. Crittenden, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R. 496) for the relief of the representative of Henry King, deceased, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom was referred the bill (H. R. 510) for the relief of Doctor George H. Howell, reported it without amendment.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 419) for the relief of John Ferguson and others ; which was read the first and second times, by unanimous consent, and referred, with his petition on file, to the Committee on Post Offices and Post Roads.

Mr. Benjamin, from the Committee on Private Land Claims, to whom were referred the following bills :

H. R. 356. An act for the relief of Roswell Minard, father of Theodore Minard, deceased ;

H. R. 451. An act for the relief of the legal representatives of Jean Baptiste Devidrine ;

H. R. 543. An act for the relief of the legal representatives of John McDonough, deceased, late of Louisiana ; reported them severally without amendment.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (S. 327) to affirm certain entries of land in the State of Louisiana, reported it without amendment and submitted a report, (No. 288 ;) which was ordered to be printed.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the following bills of the Senate :

S. 41. An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes ;

S. 83. An act to vest the title to certain warrants for land in George M. Gordon ; and

It has passed the following bills, in which it requests the concurrence of the Senate :

H. R. 555. An act to supply deficiencies in the appropriations for

the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1858 ;

H. R. 561. An act making appropriations for the support of three regiments of volunteers authorized by the act of Congress approved 7th April, 1858 ;

The House of Representatives has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859 ; and it has receded from its disagreement to the thirtieth amendment of the Senate to the said bill.

Mr. Pearce, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859, reported that they have agreed to recommend, and do recommend, to their respective Houses, as follows :

That the Senate do recede from its 1st, 6th, 11th, 12th, 21st, and 27th amendments to the bill.

That the House of Representatives do recede from its disagreement to, and concur in, the 4th, 23d, and 25th amendments of the Senate.

That the House of Representatives agree to the 26th amendment of the Senate, with an amendment, as follows : At the close of the said amendment add the following words, *And that such clerks shall not be employed, under the authority of this act, after the third day of March, eighteen hundred and fifty-nine.*

That the House of Representatives agree to the 5th amendment of the Senate, with an amendment, as follows : At the close of the said amendment add the following words, *For the Senate, and for stationery for fiscal year ending 30th of June, eighteen hundred and fifty-eight, five thousand dollars for the House of Representatives.*

Upon the 30th amendment the committee have not been able to agree.

J. A. PEARCE,
BEN. FITZPATRICK,
LYMAN TRUMBULL,

Managers on the part of the Senate.

J. GLANCY JONES,
JAMES JACKSON,
V. B. HORTON,

Managers on the part of the House of Representatives.

The Senate proceeded to consider the report ; and

On motion,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

The bills (H. R. 555 and H. R. 561) last received from the House of Representatives for concurrence, were read the first and second times, by unanimous consent, and referred to the Committee on Finance.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the following acts and resolution :

S. 35. An act for the relief of Michael Kinney, late a private in company I, eighth regiment United States army ;

S. 52. An act for the relief of William B. Trotter ;

S. 59. An act for the relief of James G. Benton, E. B. Babbitt, and James Longstreet, of the United States army ;

S. 67. An act for the relief of Jonas P. Keller ;

S. 70. An act for the relief of John Dick, of Florida ;

S. 74. An act for the relief of J. Wilcox Jenkins ;

S. 81. An act for the relief of Laurent Millaudon ;

S. 91. An act to continue a pension to Christine Barnard, widow of the late brevet Major Moses J. Barnard, United States army ;

S. 92. An act for the relief of George A. O'Brien ;

S. 95. An act explanatory of an act entitled "An act for the relief of Dempsey Pittman," approved August 6, 1856 ;

S. 96. An act for the relief of Susanna T. Lea, widow and administratrix of James Maglenen, late of the city of Baltimore, deceased ;

S. 106. An act for the relief of Elijah F. Smith, Gilman H. Perkins, and Charles F. Smith ;

S. 117. An act for the relief of William Allen, of Portland, in the State of Maine ;

S. 136. An act for the relief of the heirs of John B. Hand ;

S. 145. An act for the relief of Brevet Major James L. Donaldson, assistant quartermaster, United States army ;

S. 185. An act for the relief of Anna M. E. Ring, Louisa M. Ring, Cordelia E. Ring, and Sarah J. de Lannoy ;

S. 189. An act for the relief of Rufus Dwinel ;

S. 208. An act for the relief of Fabius Stanley ;

S. 330. An act for the relief of Stephen R. Rowan ;

S. 338. An act for the relief of Caleb Sherman ;

S. 38. A resolution for the relief of John Grayson.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President signed the two enrolled resolutions (S. 28 and S. 47,) and the enrolled bill (S. 102) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Jones reported from the Committee that they had examined and found duly enrolled the following bills :

S. 41. An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes ;

S. 83. An act to vest the title to certain warrants for land in George M. Gordon ;

H. R. 201. An act making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having

signed three enrolled bills, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 200) making appropriations for sundry civil expenses of the government, for the year ending the 30th June, 1859.

On motion by Mr. Fitch, from the Committee on Post Offices and Post Roads, to amend the bill by inserting,

For the construction of a building for a post office and other government purposes in the city of Brooklyn, State of New York, fifty thousand dollars, and also such additional sum as may be necessary to purchase a suitable site for such building ;

For the purchase of a site, and the erection of a building thereon, in Columbus, in the State of Ohio, for a post office and other government purposes, fifty thousand dollars ;

For the purchase of a site for the building, for public purposes, authorized to be erected at Tallahassee, by the act of March 3, 1857, the sum of twenty thousand dollars ;

For a site and building for a post office and other government purposes in Hartford, in the State of Connecticut, the sum of fifty thousand dollars ;

For the purchase of a site, and the erection of a building thereon, in Harrisburg, in the State of Pennsylvania, for a post office and other government purposes, fifty thousand dollars.

A motion was made by Mr Polk to amend the same by adding thereto :

For the erection of a building for a post office and courts of the United States at Jefferson City, Missouri thirty thousand dollars.

On the question to agree to the amendment proposed by Mr. Polk to the amendment proposed by Mr. Fitch,

A question of order was raised by Mr Hunter, whether the amendment proposed by Mr Polk, not proceeding from a standing committee, was in order ; and

The Vice President decided that it was not in order.

From this decision Mr. Brown appealed.

On the question, "Shall the decision of the Chair stand as the judgment of the Senate?"

It was determined in the affirmative, { Yeas..... 33
Nays..... 11

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Chandler, Clark, Clay, Clingman, Collamer, Crittenden, Dixon, Doolittle, Fessenden, Fitzpatrick, Foster, Hale, Hamlin, Harlan, Hayne, Hunter, Iverson, Johnson, of Tennessee, Kennedy, King, Mallory, Mason, Pugh, Reid, Sebastian, Seward, Slidell, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bright, Broderick, Brown, Cameron, Douglas, Fitch, Green, Houston, Johnson, of Arkansas, Jones, Polk.

The question recurring on agreeing to the said amendment proposed by Mr. Fitch;

A question of order was raised by Mr. Johnson, of Arkansas, whether the amendment proposed by Mr Fitch was in order under the 30th rule; and

The Vice President decided that it was in order.

From this decision Mr. Johnson, of Arkansas, appealed; and,

After debate,

On the question, "Shall the decision of the Chair stand as the judgment of the Senate?"

It was determined in the affirmative, { Yeas..... 46
Nays 9

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Bell, Bigler, Bright, Broderick, Brown, Chandler, Clark, Clingman, Collamer, Crittenden, Davis, Dixon, Doolittle, Douglas, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Gwin, Hammond, Harlan, Hayne, Iverson, Johnson, of Tennessee, King, Mallory, Mason, Pearce, Polk, Pugh, Reid, Rice, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Green, Hamlin, Hunter, Johnson, of Arkansas, Jones, Sebastian, Toombs.

On the question to agree to the amendment proposed by Mr. Fitch,

It was determined in the negative, { Yeas..... 13
Nays 32

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bigler, Bright, Cameron, Dixon, Fitch, Foster Gwin, Hamlin, Iverson, Pugh, Rice, Seward, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Broderick, Brown, Clark, Clay, Clingman, Collamer, Doolittle, Fitzpatrick, Green, Hale, Hammond, Hayne, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mason, Pearce, Polk, Reid, Sebastian, Slidell, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright.

On motion by Mr. Green, to amend the bill by inserting the following:

SEC.—. *And be it further enacted, That the provisions of the fifth section of the act entitled "An act making appropriations for the civil and diplomatic expenses of the government for the year eighteen hundred and forty-one," approved the third day of March, eighteen hundred and forty-one, and the eighth section of the act entitled "An act making appropriations for certain civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-eight," approved the third day of March, eighteen hundred and fifty-seven, are hereby construed and declared to direct the Secretary of the Treasury to allow and pay to surveyors of ports performing or having performed the*

duties of collectors of customs since the passage of the law first above recited the same compensation, and no other, as is allowed to collectors for like service,

It was determined in the negative, { Yeas..... 14
Nays 29

On motion by Mr. Green.

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bright, Douglas, Fitzpatrick, Green, Houston, Iverson, Jones, Polk, Pugh, Sebastian, Seward, Simmons, Stuart, Wade.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bigler, Broderick, Brown, Cameron, Clark, Clay, Collamer, Davis, Dixon, Doolittle, Fessenden, Foster, Hale, Hamlin, Harlan, Hayne, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Reid, Slidell, Toombs, Trumbull, Wright, Yulee.

On motion by Mr. Seward, to amend the bill by inserting the following section:

SEC.—. *And be it further enacted, That the Secretery of State be and he is hereby, authorized to adjust, upon principles of equity and justice, the accounts of I. D. Andrews, late agent of the United States, in connexion with the reciprocity treaty, and that the same be paid according to said adjustment.*

It was determined in the affirmative.

On motion by Mr. Mason, from the Committee on Foreign Relations, to amend the bill by inserting the following:

SEC.—. *And be it further enacted, That when, in the absence of a secretary of legation at Constantinople who discharges the duty of dragoman, or in like manner when there is no dragoman at that mission, the consul or consul general of the United States, who shall act as dragoman, shall receive the compensation now provided by law for a dragoman and for such time as he shall act as such.*

It was determined in the affirmative, { Yeas..... 33
Nays 13

On motion by Mr. King,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Clay, Collamer, Davis, Dixon, Doolittle, Fessenden, Foot, Foster, Hammond, Harlan, Hayne, Hunter, Iverson, Kennedy, Mallory, Mason, Polk, Pugh, Seward, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wade, Wright.

Those who voted in the negative are,

Messrs. Chandler, Clingman, Fitch, Fitzpatrick, Hale, Houston, Johnson, of Arkansas, Johnson, of Tennessee, King, Reid, Sebastian, Trumbull, Yulee.

On motion by Mr. Chandler, to amend the bill by inserting the following section:

SEC.—. *And be it further enacted, That fifty-four thousand and thirty-seven dollars be appropriated for completing the improvements of the channel over the St. Clair flats, in the State of Michigan.*

A debate ensued until the hour arrived for taking a recess.

SIX O'CLOCK IN THE EVENING.

The Senate resumed the consideration of the bill (H. R. 200) making appropriations for sundry civil expenses of government for the year ending 30th of June, 1859.

On the question to agree to the pending amendment proposed by Mr. Chandler,

It was determined in the negative, { Yeas..... 20
Nays 20

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Bright, Broderick, Chandler, Collamer, Crittenden, Dixon, Fessenden, Foot, Foster, Harlan, Kennedy, King, Polk, Pugh, Seward, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Brown, Clingman, Fitzpatrick, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Pearce, Reid, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Yulee.

On motion by Mr. Pugh, to amend the bill by inserting the following:

For repairing and securing the public works at the harbor of Chicago, Illinois, eighty-seven thousand two hundred and twenty-five dollars and thirty-seven cents;

For the preservation and repair of the piers at the mouth of Milwaukee river, Wisconsin, twenty-eight thousand six hundred and thirty dollars;

For repairing the piers at the harbor of Sheboygan, Wisconsin, five thousand dollars;

For repairing the public works at the harbor of St. Joseph, Michigan, ten thousand dollars;

For repairing the public works at the harbor of Monroe, Michigan, nine thousand five hundred and eighty-eight dollars;

For deepening and widening the channel through the St. Clair flats, Michigan, twenty-three thousand four hundred and twenty-one dollars;

For securing and repairing the public works at the harbor of Cleveland, Ohio, twenty-six thousand one hundred and forty-three dollars and fifteen cents;

For repairs upon the public works at Huron harbor, Ohio, thirty thousand dollars;

For repairs upon the public works at Black River harbor, Ohio, sixteen thousand nine hundred and forty dollars and ninety-six cents;

For repairs upon the public works at Grand River harbor, Ohio, eight thousand six hundred and seventy-nine dollars and fifty-five cents;

For repairing the public works at the harbor of Ashtabula, Ohio, six thousand six hundred and twenty dollars;

For repairing the public works at the harbor of Conneaut, Ohio, three thousand and twenty dollars;

For the immediate repair of the piers at Erie harbor, Pennsylvania, eight thousand six hundred and thirty-eight dollars;

For the immediate repair of the public works at Dunkirk harbor, New

York, five thousand two hundred and ninety-nine dollars and ninety-six cents;

For repairing the public works at Buffalo harbor, New York, twenty-seven thousand six hundred and seventy-nine dollars and thirty-five cents;

For repairing the piers of Oak Orchard harbor, New York, nine thousand seven hundred and thirty-six dollars and sixty-five cents;

For repairing the public works at Genesee harbor, New York, forty-one thousand and eighty-four dollars and thirty-four cents;

For repairing the piers at Sodus Bay harbor, Wayne county, New York, and for dredging between the channel piers, forty thousand eight hundred and six dollars;

For immediate repairs in order to the preservation of Oswego harbor, New York, forty-six thousand three hundred and ninety-one dollars and fourteen cents;

For repairs of the piers at Burlington, Vermont, two thousand one hundred and eighty-six dollars and forty cents;

For completing the improvements in the raft region of Red river, one hundred and ten thousand dollars;

For the preservation of steam dredges and appurtenances, ten thousand dollars;

For unforeseen contingencies of lake harbors, twenty thousand dollars;

On motion by Mr. Jones, to amend the said amendment proposed by Mr. Pugh, by inserting the following :

SEC. —. *And be it further enacted, That there shall be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of fifty thousand dollars, to be expended under the superintendence of the Secretary of War, for continuing the improvement of the navigation of the Mississippi river, at the Des Moines and the Rock river rapids in the said Mississippi river,*

It was determined in the negative, { Yeas..... 17
Nays..... 30

On motion by Mr. Polk,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Douglas, Foot, Foster, Harlan, Jones, Kennedy, King, Polk, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Brown, Clingman, Collamer, Crittenden, Dixon, Fessenden, Fitch, Fitzpatrick, Hale, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Reid, Rice, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On the question to agree to the amendment proposed by Mr. Pugh,

It was determined in the negative, { Yeas..... 23
Nays..... 26

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Broderick, Chandler, Collamer, Crittenden, Dixon, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Jones,

Kennedy, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clingman, Fitch, Fitzpatrick, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Polk, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On motion by Mr. Pugh, to amend the bill by striking out:

“For compensation of two superintendents for the life saving stations on the coasts of Long Island and New Jersey, three thousand dollars;

“For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars;

“For contingencies for life saving apparatus on the coast of the United States, twelve thousand dollars;

“For the purchase of the best life-boat, to be placed at each of the twenty-eight life saving stations on the coast of New Jersey, six thousand four hundred and forty dollars;

“For the purchase of the best life-boats, to be approved by the Treasury Department, for use on the coast of Long Island, ten thousand dollars;

“For procuring two additional improved metallic life-boats, a metallic life-car, and necessary harness, lines, and other suitable articles, to be used under the direction of the Secretary of the Treasury in saving life, in cases of marine disaster off Galveston station, Texas, ten thousand dollars,”

It was determined in the negative, { Yeas..... 15
Nays 31

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bright, Brown, Douglas, Fitch, Fitzpatrick, Hayne, Hunter, Iverson, Johnson, of Tennessee, Mallory, Polk, Pugh, Rice, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Clingman, Collamer, Crittenden, Dixon, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Arkansas, Jones, Kennedy, King, Mason, Reid, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

On motion by Mr. Polk to amend the bill, sec. 1, line 12, by striking out “two hundred and fifty,” and inserting “one hundred,”

It was determined in the negative, { Yeas 11
Nays..... 36

On motion by Mr. Polk,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Brown, Green, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Polk, Pugh, Rice, Stuart, Trumbull.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick,

Clingman, Collamer, Crittenden, Dixon, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Hayne, Houston, Hunter, Iverson, Kennedy, King, Mallory, Mason, Pearce, Reid, Sebastian, Seward, Simmons, Thomson, of New Jersey, Toombs, Wade, Wilson, Wright, Yulee.

A motion was made by Mr. Cameron, that the Senate reconsider the vote agreeing to the following amendment :

SEC. —. *And be it further enacted*, That so much of all acts and parts of acts as require or authorize the Postmaster General to publish notice of letting contracts to carry the mails in the respective States, in newspapers published in the city of Washington, in the District of Columbia, be, and the same is, hereby repealed.

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Johnson, of Tennessee, to amend the bill by striking out the following clause :

“ For the completion of the Washington aqueduct, eight hundred thousand dollars, and, in addition thereto, so much of the appropriation of two hundred and fifty thousand dollars ‘for paying existing liabilities for the Washington aqueduct, and preserving the work already done from injury,’ contained in the act entitled ‘An act making appropriations for certain civil expenses of the government for the year ending the thirtieth June, eighteen hundred and fifty-seven,’ approved eighteenth August, eighteen hundred and fifty-six, as may not be required for said purposes.”

A motion was made by Mr. Pugh to amend that part of the bill proposed to be stricken out by Mr. Johnson, of Tennessee, by striking out “eight hundred thousand dollars,” and, in lieu thereof, inserting *four hundred thousand dollars*, and,

On motion by Mr. Seward, that the Senate adjourn,

It was determined in the negative,	{ Yeas	21
	{ Nays	22

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Brown, Cameron, Chandler, Crittenden, Green, Harlan, Houston, Iverson, Kennedy, King, Mallory, Mason, Pearce, Pugh, Sebastian, Seward, Wade, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Clingman, Collamer, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Polk, Reid, Rice, Slidell, Stuart, Thomson of New Jersey, Toombs, Wilson, Wright.

On the question to agree to the amendment of Mr. Pugh,

It was determined in the negative,	{ Yeas	10
	{ Nays	31

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Cameron, Chandler, Fitch, Hamlin, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, Polk, Pugh, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Broderick, Brown, Clingman, Collamer, Crittenden, Fessenden, Foot, Foster, Green, Gwin, Hale, Houston, Hunter, Iverson, Kennedy, Mason, Pearce, Reid, Rice, Sebastian, Seward, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wilson, Wright, Yulee.

The question recurring on agreeing to the amendment proposed by Mr. Johnson, of Tennessee,

It was determined in the negative, { Yeas..... 6
Nays 33

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Cameron, Harlan, Johnson, of Tennessee, Polk, Pugh, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Broderick, Brown, Clingman, Collamer, Crittenden, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hale, Hamlin, Houston, Hunter, Iverson, Kennedy, Mason, Pearce, Reid, Rice, Sebastian, Seward, Slidell, Stuart, Thomson, of New Jersey, Wilson, Wright, Yulee.

So the amendment was disagreed to.

On motion by Mr. Seward,

The Senate adjourned.

WEDNESDAY, JUNE 2, 1858.

The following message was received from the President of the United States by Mr. Henry, his secretary :

To the Senate of the United States :

I transmit herewith a report from the Secretaries of State and Navy, with the accompanying papers, in compliance with the resolution of the Senate of the 11th of March, 1858, requesting the President "to communicate to the Senate any information in possession of any of the Executive Departments in relation to alleged discoveries of guano, in the year 1855, and the measures taken to ascertain the correctness of the same ; and also any report made to the Navy Department in relation to the discovery of guano in Jarvis and Baker's islands, with the charts, soundings, and sailing directions for those islands.

JAMES BUCHANAN.

WASHINGTON, *June 1*, 1858.

The message was read.

Ordered, That it be referred to the Committee on Commerce.

On motion by Mr. Stuart,

Ordered, That George M. Gordon have leave to withdraw his petition and papers.

Mr. Seward presented papers, relative to a cargo of guano received by Schuyler and Livingston in the barque Evadne, which was libelled at the instance of the Peruvian minister, sold, and the proceeds deposited in the United States Trust Company to abide the decision of the court ; which were referred to the committee on Foreign Relations.

On motion by Mr. Seward, that the papers be printed,
Ordered, That they be referred to the Committee on Printing.

Mr. Benjamin presented the petition of Claude Samory, praying the confirmation of certain land titles; which was referred to the Committee on Private Land Claims.

Mr. Hunter presented papers relative to the payment of certain volunteers called into service by the governor of Florida, in 1855 and 1856; which were referred to the Committee on Military Affairs and the Militia.

Mr. Johnson, of Tennessee, presented a petition of citizens of Wisconsin, praying that the public lands may cease to be considered as a source of public revenue, and be reserved hereafter for the use of actual settlers.

Ordered, That it lie on the table.

Mr. Mason presented the petition of Ferdinand Coxe, late secretary of legation at Brazil, praying compensation for services rendered as chargé d'affaires at that court; which was referred to the Committee on Foreign Relations.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior communicate to the Senate such information as his department may afford, concerning any right or claim of the St. Regis Indians, now residing in the State of New York, to any contingent, conditional or other interest in the lands set apart for the New York Indians in Kansas, or in the Indian territory, and whether the Canadian portion of the St. Regis Indians has any such interest.

Mr. Mason submitted the following resolution for consideration:

Resolved, That the Secretary of the Senate be directed to pay to the several ministers of the gospel who have officiated as chaplains, at the invitation of the Senate, during the present session, the sum of fifty dollars each.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Ordered, That one thousand additional copies of the Report of the Secretary of State relating to foreign regulations of commerce, received from that department on the 4th ultimo, be printed for the use of that department.

Mr. Hamlin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate what fees or charges the consul general for Canada is authorized to make and receive on goods or articles imported into the United States from Canada; under what law said fee or charge is made; the annual amount thereof, and how the same is disposed of.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 557) making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859, reported it without amendment.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 541) in relation to a railway along Pennsylvania avenue, in Washington city, in the District of Columbia, reported it with an amendment.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the bill (S. 414) to reimburse the corporation of Georgetown, in the District of Columbia, a sum of money advanced towards the construction of the Little Falls bridge, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom were referred the following bills:

H. R. C. C. 81. An act for the relief of the heirs of William Turvin, deceased;

H. R. 238. An act for the relief of the heirs of Richard Tarvin;

H. R. 245. An act for the relief of A. Baudoin and A. D. Robert;

H. R. 476. An act for the relief of Joseph Rumph;

H. R. 480. An act for the relief of Dr. Ferdinand O. Miller;

H. R. 481. An act for the relief of Dinah Minis;

H. R. 570. An act for the relief of Lieutenant Loomis L. Langdon;

H. R. 571. An act for the relief of David McClure, administrator of Joseph McClure, deceased;

H. R. 575. An act for the relief of Robert A. Davidge; reported the same without amendment.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the following bills, and that they be referred to the Committee on Military Affairs and the Militia:

H. R. 452. An act for the relief of Dr. Thomas Antisell;

H. R. 506. An act for the relief of the administrator of Horatio Boulton, deceased.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the bill (H. R. 486) for the relief of Alonzo and Elbridge G. Colby, and that it be referred to the Committee on Commerce.

On motion by Mr. Iverson,

Ordered, That the Committee on Claims be discharged from the further consideration of the bill (S. 290) for the relief of the legal representatives of George Mayo, deceased.

Mr. Iverson asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 48) for the payment of an unexpended balance to the State of Georgia for militia services; which was read and passed to a second reading.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print a resolution of the corporation of Georgetown and a memorial of citizens of Georgetown, relative to receding a portion of that city to the county of Washington, reported that the resolution and memorial be printed; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print resolutions of a meeting of citizens of Georgetown relative to receding a portion of that city to the

county of Washington, reported that the resolutions be printed ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom were referred a motion to print resolutions of the Merchants' Exchange Association of Washington ; a motion to print the memorial of Perry McDonough Collins ; a motion to print the memorial of the executive board of the American Indian Aid Association ; a motion to print the message of the President in relation to the accounts of Edward F. Beale ; a motion to print the report of the Secretary of the Navy, communicating Lieutenant Craven's report of explorations of the Atrato and Truando rivers ; and a motion to print the report of the Secretary of the Treasury relative to frauds on the revenue committed by the commercial house of Simon De Visser and José Villarubia, of New Orleans, reported adversely thereon ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President in relation to the seizure of the American barque Panchita on the coast of Africa, reported in favor of printing the usual number of the message ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Navy relative to the pay of certain retired naval officers, reported in favor of printing the report ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President, with correspondence in relation to the arrest of William Walker by Commodore Paulding, reported in favor of printing the same ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the petition of James H. Birch and the memorial of T. D. W. Yonley and the accompanying papers, reported in favor of printing the same ; and

The report was agreed to.

Mr. Fitzpatrick, from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 254) for the relief of William Hutchenson, reported it without amendment and that it ought not to pass.

Mr. Gwin asked and, by unanimous consent, obtained leave to bring in a bill (S. 420) for the relief of James Collier ; which was read the first and second times, by unanimous consent, and referred, with the accompanying papers to the Committee on Claims.

Mr. Foster, from the Committee on Public Lands, to whom was referred the petition of Benjamin Ward, reported a bill (S. 421) to authorize the Secretary of the Interior to issue a land warrant to Benjamin Ward ; which was read and passed to a second reading.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (H. R. 59) in relation to courts and the holding of the terms thereof, in the several Territories of the United States, reported it without amendment.

Mr. Simmons, from the Committee on Claims, to whom was referred the petition of John R. Bartlett, submitted a report, (No. 291,) accompanied by a bill (S. 422) for the relief of John R. Bartlett.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 572) for the relief of Lewis W. Broadwell, reported it without amendment

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (S. 419) for the relief of John Ferguson and others, reported it without amendment.

Mr. Wright, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution to allow compensation to B. L. Bogan for the services of his son in the document room of the Senate, reported it without amendment.

On motion by Mr. Stuart,

The Senate proceeded to consider the motion made by him, the 25th ultimo, that the Senate reconsider the vote on passing the bill (H. R. 300) declaring the title to land warrants in certain cases ; and

The motion was agreed to

The vote ordering the amendment to the said bill to be engrossed and the bill read a third time was then reconsidered ; and, the bill having been amended on the motion of Mr. Stuart,

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the resolution (H. R. 31) authorizing Commander M. F. Maury to accept a gold medal awarded to him by the Emperor of Austria, reported it without amendment.

The Senate proceeded to consider the said resolution, as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said resolution was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the motion made by Mr. King, that the Senate reconsider the vote on passing the bill (S. 323) to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians ; and

On the question to agree to the motion,

It was determined in the negative.

Mr. Jones reported from the committee that they, this day, presented to the President of the United States the following enrolled bills and resolutions :

S. 41. An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes ;

S. 83. An act to vest the title to certain warrants for land in George M. Gordon ;

H. R. 201. An act making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859 ;

S. 28. A resolution for the adjustment of differences with the republic of Paraguay ;

S. 47. A resolution to correct an error in a certain act approved May 11, 1858.

The Senate resumed the consideration of the resolutions reported by the Committee on Foreign Relations, in relation to the recent seizure and search of American vessels by British cruisers in the Gulf of Mexico ; and

On motion by Mr. Mason, that the further consideration of the resolutions be postponed to, and made the special order of the day for, Saturday next at 1 o'clock,

It was determined in the affirmative, { Yeas..... 28
Nays 24

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clingman, Crittenden, Davis, Douglas, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Iverson, Kennedy, Mason, Polk, Reid, Sebastain, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bright, Broderick, Cameron, Clark, Collamer, Dixon, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Pearce, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

On motion by Mr. Allen, that the resolution directing a recess of the Senate each day from 4 to 6 o'clock, be rescinded,

It was determined in the affirmative, { Yeas..... 32
Nays 23

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Clay, Clingman, Crittenden, Davis, Douglas, Durkee, Fitch, Fitzpatrick, Hayne, Houston, Johnson, of Tennessee, Jones, Kennedy, King, Pearce, Reid, Rice, Sebastian, Seward, Simmons, Stuart, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Cameron, Chandler, Clark, Collamer, Dixon, Fessenden, Foot, Foster, Green, Gwin, Hale, Hamlin, Harlan, Hunter, Iverson, Johnson, of Arkansas, Mason, Pugh, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson.

So the resolution was rescinded.

On motion by Mr. Houston, that the Senate proceed to consider the resolution submitted by him in relation to a protectorate by the United

States over the States of Mexico, Nicaragua, Costa Rica, Guatemala, Honduras, and San Salvador,

It was determined in the negative, { Yeas..... 16
Nays 32

On motion by Mr. Houston,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Clingman, Crittenden, Fitch, Hale, Houston, Johnson, of Tennessee, Mallory, Polk, Pugh, Rice, Simmons, Slidell, Stuart, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Broderick, Brown, Cameron, Clark, Clay, Collamer, Davis, Dixon, Douglas, Durkee, Fessenden, Foot, Foster, Green, Hamlin, Hammond, Harlan, Hunter, Iverson, Jones, Kennedy, King, Mason, Pearce, Reid, Sebastian, Seward, Thompson, of Kentucky, Wilson, Wright, Yulee.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the resolution (H. R. 31) authorizing Commander M. F. Maury to accept a gold medal awarded to him by the Emperor of Austria.

Mr. Pearce asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 50) authorizing the President to designate a site for the equestrian statue of Washington, and for other purposes; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the resolution be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Polk asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 49) to correct an error in the "Act for the relief of Stephen R. Rowan," approved June 1, 1858; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That the resolution be engrossed and read the third time.

The said resolution was read the third time, by unanimous consent,

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the President of the United States, by Mr. Henry, his secretary :

Mr. President : The President of the United States this day approved and signed the following acts and joint resolutions :

S. 41. An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes;

S. 83. An act to vest the title to certain warrants for land in George M. Gordon;

S. 47. A resolution to correct an error in a certain act approved May 11, 1858;

S. 28. A resolution for the adjustment of differences with the republic of Paraguay.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the amendment of the House of Representatives to the bill (S. 227) authorizing the organization of a fire department in the District of Columbia, reported it, with a recommendation that the Senate do not concur therein.

Mr. Mallory asked and, by unanimous consent, obtained leave to bring in a bill (S. 423) for the relief of John Perry; which was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled resolution, (H. R. 31,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled resolution, (H. R. 31,) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 200) making appropriations for sundry civil expenses of government for the year ending 30th of June, eighteen hundred and fifty-nine.

On motion by Mr. Simmons, to amend the bill by adding thereto the following:

SEC. —. *And be it further enacted, That the provisions of the sixteenth and seventeenth sections of the act of thirtieth August, eighteen hundred and forty-two, the eighth section of the act of thirtieth July, eighteen hundred and forty-six, and the first section of the act of third of March, eighteen hundred and fifty-one, so far as the same relate to and direct the manner of ascertaining and determining the value of merchandise imported into the United States, at the principal markets of the countries from which the same are imported, shall remain and continue in force, and in all cases, when the same is practicable, the invoices of all goods, wares, and merchandise at the place or port of exportation shall be verified by the certificate of the consul of the United States at such port; and in no case shall the duties upon goods be levied in any port of the United States upon an amount less than the value stated in such invoices, as required in the proviso to the eighth section of said act of thirtieth of July, eighteen hundred and forty-six, unless the quantity of the articles imported shall be lessened, or the quality injured upon the voyage of importation.*

SEC. —. *And be it further enacted, That in order to prevent the continuance of fraud upon the revenue by the under valuations of foreign imports, and to provide for the valuation of imports in the same currency in which duties are paid, to wit: the legal currency of the United States, it is hereby provided that, in addition to the existing provisions of law for the entry and appraisement, or valuation of any goods, wares, or merchandise imported into the United States, it shall be the duty of the owner, importer, consignee, or agent of any goods, wares, or merchandise*

imported into any port of the United States, to exhibit to the collector or other proper officer of the customs of such port, a true invoice of the goods, wares, and merchandise entered by such person or persons at such port, embracing a statement of the quantity, description, nature, quality, and the true wholesale market price or value of the same or similar articles in the principal market of the United States, to wit: the city of New York, at the time of such entry of importation, or at the time nearest thereto which is practicable; and such invoice shall be verified and proved by the oath of the said owner, importer, consignee, or agent, who, on conviction of false swearing thereon, shall be subject to the forfeiture and penalties as provided by the laws of the United States in like cases, and prosecuted as for wilful and corrupt perjury; and, upon such wholesale market price or value, to include the foreign cost, all charges, duties, and profits, or so much thereof as may enter into and become a part of such wholesale market price or value, the rates of duty imposed by the existing laws of the United States, at the time of entry of such importation, upon each article enumerated in such invoice, shall be assessed and paid: *Provided*, That if any collector or other proper officer of the customs shall have doubts as to the correctness of the valuation as above described, or should complaint or information be made or given by any person or persons of the incorrectness of any such valuation, it shall be the duty of the collector or other proper officer of the customs to cause the true and actual wholesale market price or value of the same or similar articles in the city of New York, at the time of entry at the port of entry, to be ascertained and appraised in the same mode and manner as the wholesale market price or value is now ascertained and appraised in the principal markets of the countries from which the same is imported; and it shall in every such case be the duty of the appraisers of the United States, and every of them, and every person who shall act as such appraiser, or of the collector and naval officer, as the case may be, by all reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true actual market value or wholesale price of such goods, wares, and merchandise, in the city of New York, at the time of entry of such goods, wares, and merchandise, at the port of importation, without regard to any other invoice, valuation, or appraisement, or verification of the same by oath or otherwise, or the difference of any such invoice or valuation to the contrary notwithstanding.

And if such last mentioned appraisal or valuation shall exceed by ten per centum or more the value so declared on the entry, then, in addition to the duties imposed by law on the same, there shall be levied, collected, and paid a duty of twenty per centum ad valorem on such appraised value, as provided in the eighth section of the act of the thirtieth July, eighteen hundred and forty-six, entitled "An act reducing the duties on imports, and for other purposes." And the several collectors or other proper officers, under such regulations as may be prescribed by the Secretary of the Treasury, whenever they shall deem it necessary to secure the proper payment of the revenue due to the United States upon the importation of any goods, wares, or merchandise, may, and they hereby are required, whenever the same is practicable, to take the amount of duties chargeable on any article bearing an ad valorem rate of duty in the article itself, according to the proportion or rate per centum of the duty on said

articles; and such goods so taken the collector or other proper officer shall cause to be sold at public auction, within twenty days from the time of taking the same, in the manner prescribed by law, and place the proceeds arising from such sale in the treasury of the United States.

And the said collector or other proper officer of the customs is further authorized and required, when he shall deem it necessary to secure the proper payment of the duties accruing to the government of the United States, to proceed in the manner prescribed in the eighteenth section of the said act, approved the thirtieth day of August, eighteen hundred and forty-two, even though no fraud or intentional under valuation shall be imputed; and as compensation to the collector and appraisers for their services in such proceeding, they shall be entitled to a commission of one per centum, to be shared by them, upon the amount of duties thus secured and paid, in addition to such other compensation as they are by law entitled to.

SEC. —. And be it further enacted, That should any person or persons complain or give information to the collector or other proper officer of the customs that any false or under valuation of any goods, wares, or merchandise has been made by any owner, importer, consignee, or agent, as aforesaid, under the preceding section of this act, or of any existing law of the United States, with a view to defraud the government of the duty legally due upon the same, the proper officer shall proceed to ascertain and appraise the true market value, as provided for in the preceding section and according to law, and if any forfeiture or penalty shall be incurred by any such owner, importer, consignee, or agent, one-half the amount or value of such forfeiture shall accrue to the benefit of the person or persons complaining or giving information which may have led to the detection of such fraud or under valuation.

SEC. 4. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Mr. Hunter raised a question of order whether the proposed amendment was in order.

The President (Mr. Stuart in the chair) submitted the question to the Senate, in pursuance of the sixth rule, and

The Senate decided that it was not in order.

An amendment being proposed by Mr. Crittenden,

On motion by Mr. Toombs to amend the same by adding a proviso,
It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Crittenden, amended as follows:

SEC. —. And be it further enacted, That the Secretary of the Senate and Clerk of the House of Representatives be, and they are hereby, directed, to continue down to the fourth of March, eighteen hundred and fifty-nine, the compilation of the congressional documents published by Congress, under the name of the "American State Papers," in the same manner as the first series thereof, under the authority of the act of Congress of March two, eighteen hundred and thirty-one, and the joint resolution of Congress of March two, eighteen hundred and thirty-three, and with the same particular index to each class, and a general index to the work; and the said Secretary and Clerk are hereby directed to contract with Gales & Seaton, the publishers of the first series thereof, for publishing the same, not to exceed two thousand copies in number, at a

price per volume not exceeding that paid for the first series, to be delivered to the Secretary of the Interior as the same may be published, and the said Secretary of the Interior shall place three hundred copies in the Department of State, for its use and for exchange with foreign governments, and seven hundred copies in his own department for distribution to public libraries in the several States and Territories, and hold the residue of the copies in his custody, subject to the future direction of Congress: Provided, That the prices or rates to be paid for the printing of this work shall not exceed those paid at present for the printing of the documents of Congress, including paper and binding, having regard to the quality and value of the material used and work done,

It was determined in the affirmative, { Yeas..... 34
Nays..... 15

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clark, Collamer, Crittenden, Davis, Dixon, Doolittle, Douglas, Foot, Foster, Hale, Houston, Kennedy, Mallory, Mason, Pearce, Sebastian, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Clay, Fessenden, Fitzpatrick, Green, Harlan, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Polk, Reid, Toombs, Trumbull.

The bill having been further amended was reported to the Senate.

On the question to concur in the following clause of the 15th amendment:

For continuing the work on the custom-house at Charleston, South Carolina, three hundred thousand dollars,

A motion was made by Mr. Trumbull to amend the same by striking out "three hundred thousand dollars," and inserting *one hundred thousand dollars*; and

It was determined in the negative.

The original amendment was then concurred in.

On the question to concur in the following amendment,

SEC. —. *And be it further enacted, That fifty-four thousand and thirty-seven dollars be appropriated for completing the improvement of the channel over the St. Clair flats, in the State of Michigan,*

It was determined in the affirmative, { Yeas..... 21
Nays..... 16

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Bright, Broderick, Chandler, Clark, Collamer, Crittenden, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Polk, Rice, Simmons, Slidell, Stuart, Trumbull.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Clingman, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Reid, Sebastian, Wright Yulee.

On the question to concur in the following amendment,

SEC. —. *And be it further enacted, That hereafter the northern boundary of the corporation of Georgetown shall be terminated by the prolongation of a line along the road and Eighth street, to the western limits of the present corporation; and the property set apart from the incorporated limits as above shall be appraised by three commissioners appointed by the circuit court of the District, and the owners thereof shall pay into the treasury of the corporation of Georgetown, in equal annual instalments of one, two, three, four, five, and six years, such sums as said commissioners shall apportion as an equitable ratio of the several estates set apart to the whole value of the appraised real estate of Georgetown, as shown by its last appraisement: And provided, That an appeal from the said commissioners may be taken by the owner or owners of any piece or pieces of property, to the circuit court, and that the decision of said court shall be final and conclusive: And also provided, That the report of the said commissioners shall be entered up in said court as judgment against the property, to be collected by suit, as other taxes on real estate are collected,*

It was determined in the negative.

The residue of the amendments, made as in Committee of the Whole, were then concurred in.

On motion by Mr. Clingman, to amend the bill by inserting the following section:

SEC. —. *And be it further enacted, That to enable the Secretary of the Interior to carry into effect the 24th section of the civil and diplomatic act of March 3, 1855, by paying the claims on file, as ordered for assessment by Messrs. Eaton and Hubly, and Washington and Mason, commissioners under the Cherokee treaty of 1835, thirty thousand dollars,*

It was determined in the affirmative.

On motion by Mr. Clay, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 28
Nays..... 13

On motion by Mr. Bigler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bright, Broderick, Clay, Clingman, Crittenden, Fessenden, Fitzpatrick, Green, Hale, Hammond, Harlan, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mallory, Polk, Reid, Sebastian, Slidell, Stuart, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bigler, Chandler, Clark, Collamer, Doolittle, Foot, Foster, Hamlin, Houston, King, Rice, Simmons, Trumbull.

So the Senate adjourned.

THURSDAY, JUNE 3, 1858.

A message from the House of Representatives by Mr. Allen, its Clerk:
Mr. President: The House of Representatives has passed the following bills and resolutions of the Senate:

S. 47. An act confirming locations of land warrants under certain circumstances;

S. 262. An act for the relief of the heirs or legal representatives of Richard D. Rowland, deceased, and others ;

S. 21. A resolution devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1854 ;

S. 32. A resolution for the benefit of the widow of Commander William Lewis Herndon, United States navy ; and

It has passed the following bills, in which it requests the concurrence of the Senate :

H. R. 246. An act for the relief of certain settlers on the public lands in the State of Wisconsin ;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas.

Mr. Green presented a memorial of the Chamber of Commerce of the city of Kansas, in Missouri, on the subject of a railroad to the Pacific ocean, by the valley of the Kansas river or the route of the 39th parallel of latitude ; which was referred to the Select Committee on the Pacific Railroad.

The bill from the House of Representatives (H. R. 246) for the relief of certain settlers on the public lands in the State of Wisconsin was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

The bill from the House of Representatives (H. R. 631) granting an invalid pension to John Holland, of Arkansas, was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

Mr. Hale, from the Committee on Naval Affairs, to whom was referred the memorial of Georgiana M. Lewis, reported a bill (S. 424) for the relief of Georgiana M. Lewis ; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. 446) for the relief of D. O. Dickinson, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Douglas,

Ordered, That the Committee on Territories be discharged from the further consideration of the following subjects :

Petition of the mayor and council of the city of Omaha, Nebraska Territory, praying to be reimbursed for money expended by them upon the capitol building of that Territory ;

Memorial of the legislature of Kansas, praying that an appropriation may be made to build a penitentiary in that Territory ;

Resolutions of the legislature of California, praying for the appointment of commissioners to ascertain and determine the boundary line between that State and the Territory of Utah ;

Memorial of citizens of the county of Pembina, praying an early organization of Dakota Territory, and the establishment of the capital at St. Joseph ;

Memorial of citizens of Medary, in Dakota, praying the organization of a territorial government ;

Memorial of citizens in Big Sioux and Midway counties, in Dakota, praying the organization of a territorial government ;

Memorial of J. Grimes and others, citizens of Illinois, praying for protection for the overland mail route to California through Arizona Territory ;

Memorial of J. Knox Walker and others, members of the Tennessee legislature, praying for protection for the overland mail route to California through Arizona Territory ;

Memorial of A. P. Cook and others, citizens of New York, praying for protection to the overland mail route to California through the Arizona Territory ;

Memorial of James M. Wright and others, citizens of Illinois, praying for protection for the overland mail route to California through the Arizona Territory.

Mr. Douglas, from the Committee on Territories, to whom was referred the bill (S. 409) making an appropriation for the completion of connected sections of a road from Albuquerque, in New Mexico, to the Colorado river, reported it without amendment.

Mr. Douglas asked and, by unanimous consent, obtained leave to bring in a bill (S. 431) to revive and put in force the provisions of "An act giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes," approved March 3, 1839, with modifications ; which was read the first and second times, by unanimous consent, and ordered to be printed.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 399) to amend an act entitled "An act to extend pre-emption rights to certain lands therein mentioned," approved 3d March, 1853, reported it without amendment, and that it ought not to pass.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of citizens of Taylor county, Iowa ; the petition of Richard H. Long ; the petition of William Nicholson, and the memorial of Hosea B. Horn.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Regents of the Smithsonian Institution, and a motion to print additional copies of the said report, reported the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That ten thousand additional copies of the report of the Board of Regents of the Smithsonian Institution, for the year 1857,

be printed; five thousand for the use of the Senate, and five thousand for the use of the Smithsonian Institution. *Provided*, That the aggregate number of pages contained in said report shall not exceed four hundred and forty pages, without woodcuts or plates, except those furnished by the institution. *And provided further*, That the entire amount of copy necessary to complete said report be placed in the hands of the Superintendent of the Public Printing before the commencement of printing any portion of said report.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Commissioner of Patents on agriculture, and a resolution for printing sixty thousand additional copies of the report, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate thirty thousand extra copies of the report of the Commissioner of Patents on agriculture for the year 1857—five thousand copies of which for distribution by the Interior Department and the Patent Office: *Provided*, That the aggregate number of pages contained in said report shall not exceed five hundred and sixty-eight, including ten pages of illustrations on wood. *And provided further*, That the entire amount of copy necessary to complete said report be placed in the hands of the Superintendent of the Public Printing on or before the thirty-first day of August next.

On motion by Mr. Hale,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of Robert Morris.

Mr. Pearce, from the Committee on Finance, to whom was referred the bill (H. R. 243) making appropriations for the support of the army for the year ending the 30th of June, 1859, reported it with amendments.

Mr. Fitzpatrick, from the Committee on Military Affairs and the Militia, to whom was referred a report of the Secretary of War in relation to the claims of Blocker and Gurley and James F. Davis, reported a bill (S. 425) for the relief of R. F. Blocker, E. I. Gurley, and J. F. Davis; which was read and passed to a second reading.

Mr. Foster, from the Committee on Public Lands, to whom was referred a letter of the Secretary of the Interior in relation to the claim of Richard Fitch, reported a bill (S. 426) to authorize the Secretary of the Interior to issue a land warrant to Russell Fitch, of Ohio; which was read and passed to a second reading.

On motion by Mr. Foster,

Ordered, That the Committee on Public Lands be discharged from the further consideration of a petition of citizens of Marblehead, Massachusetts, relative to bounty lands to privateersmen in the war of 1812.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (S. 395) to authorize the increase of invalid pensions in certain cases, reported it without amendment and submitted a report, (No. 296;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the petition of Anna M. McKenny, submitted an adverse report, (No. 295;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred

the memorial of James Monroe, submitted an adverse report thereon.

Mr. Jones, from the Committee on Pensions, to whom were referred the following bills :

H. R. 461. An act granting an invalid pension to John Lee, of the State of Maine ;

H. R. 513. An act granting an invalid pension to William Howell ;

H. R. 520. An act for the relief of William Bullock ;

H. R. 533. An act for the relief of Shove Chase, of New York, reported them severally without amendment.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred a letter of the Secretary of the Senate in relation to the compensation of the senators from Minnesota, reported :

“ That there is no express provision in the act regulating the compensation of members of Congress applicable to the particular case presented, but, in the opinion of the committee, a correct construction of the act of August 16, 1856, forbids the allowance of compensation until the State of Minnesota was admitted into the Union, and that the compensation to the senators from that State should commence on the day of admission, May 11, 1858.”

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. 353) for the relief of Eli W. Goff, reported it without amendment, and that it ought not to pass.

Mr. Clay, from the Committee on Commerce, to whom was referred the following bills :

H. R. 486. Bill for the relief of Alonzo and Elbridge G. Colby ;

H. R. 573. Bill for the relief of Thomas Hasam and B. S. Brewster ;

H. R. 569. Bill for the relief of Gardner and Vincent, and others, reported them severally without amendment.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of Thomas W. Ward, reported a bill (S. 427) for the relief of Thomas W. Ward, late United States consul at Panama ; which was read and passed to a second reading.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of Samuel S. Powell and others, reported adversely thereon.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 452) for the relief of Dr. Thomas Antisell, reported it without amendment.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the memorial of Robert Hale.

Mr. Reid, from the Committee on Patents and the Patent Office, to whom was referred the bill (H. R. 269) for the relief of David Bruce, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Ebenezer Ballard and Rishworth Jordan, submitted an adverse report, (No. 292 ;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of Michael Nourse, submitted an adverse report, (No. 293;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Charles Vinson, submitted an adverse report, (No. 294;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of James Myer, submitted a report, (No. 297,) accompanied by a bill (S. 428) for the relief of James Myer.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Jane J. Wingerd, submitted a report, (No. 298,) accompanied by a bill (S. 429) for the relief of Jane J. Wingerd.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Clay, from the Committee on Commerce, to whom was referred the petition of J. Hosford Smith, reported adversely thereon.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Claude Samory, submitted a report, (No. 299;) which was ordered to be printed.

Mr. Stuart, from the Committee on Public Lands, to whom were referred the bill (S. 22) for the relief of certain citizens of Sioux City, in the State of Iowa, and the bill (S. 220) for the relief of the citizens and owners of property in the city of Omaha, Nebraska Territory, and Sioux City, State of Iowa; also, the petition of residents of Sioux City, Iowa, reported the bills without amendment, and submitted an adverse report, (No. 300;) which was ordered to be printed.

Mr. Harlan submitted the views of the minority of the Committee on Public Lands on the subject; and,

On motion by Mr. Harlan, that they be printed,

Ordered, That the motion be referred to the Committee on Printing.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the motion to print the views of the minority of the Committee on Public Lands on the bill (S. 220) for the relief of the citizens and owners of property in the city of Omaha, Nebraska Territory, and Sioux City, State of Iowa, reported in favor of printing the same; and

The report was agreed to.

Mr. Dixon, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 502) for the relief of S. W. and A. A. Turner, reported it without amendment.

On motion by Mr. Dixon,

The Senate proceeded to consider the said bill (H. R. 502) as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Jones,

Ordered, That the Vice President appoint an additional member on the Committee on Enrolled Bills, and

Mr. Rice was appointed.

The resolution (S. 48) for the payment of an unexpended balance to the State of Georgia, for militia services, was read the second time

and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Kennedy asked and, by unanimous consent, obtained leave to bring in a bill (S. 430) to establish a line of mail steamships between certain ports of the United States and Great Britain; which was read the first and second times, by unanimous consent, referred to the Committee on Post Offices and Post Roads, and ordered to be printed.

The bill (S. 158) for the relief of Anthony S. Robinson, heir and legal representative of John Hamilton Robinson, deceased, was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

On the question, "Shall the bill pass?"

It was determined in the negative.

So the bill was rejected.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 518) to continue the pension heretofore paid to Mary C. Hamilton, widow of Captain Fowler Hamilton, late of the United States army; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (S. 39) directing the printing of certain reports therein mentioned; and,

On motion by Mr. Johnson, of Arkansas,

Ordered, That it be referred to the Committee on Printing.

On motion by Mr. Hammond, that the Senate re-consider the vote on the rejection of the bill (S. 158) for the relief of Anthony S. Robinson, heir and legal representative of John Hamilton Robinson, deceased,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 227) authorizing the organization of a fire department in the District of Columbia; and, in concurrence with the recommendation of the committee,

Resolved, That the Senate disagree to the amendment of the House of Representatives to the said bill.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Seward, that the Senate proceed to the consid-

eration of the resolution changing the day for the adjournment of Congress,

It was determined in the affirmative, { Yeas..... 33
Nays 20

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Collamer, Davis, Doolittle, Douglas, Fitch, Foot, Green, Gwin, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, King, Mallory, Mason, Polk, Reid, Rice, Sebastian, Seward, Slidell, Stuart, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Clay, Crittenden, Dixon, Durkee, Fessenden, Fitzpatrick, Foster, Hale, Hamlin, Hammond, Johnson, of Arkansas, Jones, Kennedy, Pearce, Toombs.

So the motion was agreed to; and

The Senate proceeded to consider the said resolution.

On motion by Mr. Hamlin, to amend the resolution by striking out "21st" and inserting 14th,

It was determined in the affirmative, { Yeas..... 39
Nays 17

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Bright, Broderick, Cameron, Chandler, Clark, Clay, Clingman, Collamer, Crittenden, Davis, Dixon, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Hale, Hamlin, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mason, Pearce, Reid, Rice, Sebastian, Slidell, Stuart, Toombs, Wilson, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bigler, Brown, Gwin, Hammond, Johnson, of Tennessee, King, Mallory, Polk, Seward, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Yulee.

No further amendment being made,

On the question to agree to the resolution, amended as follows:

Resolved, the House of Representatives concurring, That the resolution directing the President of the Senate and the Speaker of the House of Representatives to declare their respective Houses adjourned *sine die* on the first Monday of June next at 12 o'clock m., be, and the same is hereby, rescinded; and that the President of the Senate and the Speaker of the House of Representatives declare the respective Houses adjourned *sine die* on Monday, the 14th of June next, at 12 o'clock m.,

It was determined in the affirmative.

So the resolution was agreed to.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Jones,

Ordered, That the memorial of James Monroe, with the adverse

report of the Committee on Pensions thereon, be recommitted to the Committee on Pensions.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives concur in the amendments of the Senate to the following bills and joint resolution:

H. R. 152. An act to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas;

H. R. 300. An act declaring the title to land warrants in certain cases;

H. R. 26. Joint resolution authorizing the arrangement and disposal of public buildings in the city of Philadelphia.

It has passed the bill of the Senate (S. 297) to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 446) for the relief of D. O. Dickinson.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bills and joint resolutions:

S. 47. An act confirming locations of land warrants under certain circumstances;

S. 262. An act for the relief of the heirs or legal representatives of Richard D. Rowland, deceased, and others;

S. 297. An act to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853;

S. 21. A resolution devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1852;

S. 32. Joint resolution for the benefit of the widow of Commander William Lewis Herndon, United States navy.

On motion by Mr. Johnson, of Arkansas, that the Senate reconsider the vote agreeing to the resolution changing the day for the adjournment of Congress,

It was determined in the affirmative.

The Senate resumed the consideration of the said resolution; and On the question to agree thereto,

It was determined in the affirmative, { Yeas 32
Nays 21

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Chandler, Collamer, Davis, Doolittle, Durkee, Fessenden, Fitch, Foot, Green, Gwin, Hamlin, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, Kennedy, Mallory, Polk, Reid, Sebastian, Seward, Slidell, Stuart, Trumbull, Wade, Wright.

Those who voted in the negative are,

Messrs. Bright, Broderick, Brown, Clark, Clay, Crittenden, Dixon, Douglas, Fitzpatrick, Foster, Hale, Hammond, Harlan, Johnson, of

Arkansas, Jones, King, Pearce, Pugh, Thompson, of Kentucky, Toombs, Yulee.

So the resolution was agreed to.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills (S. 47 and S. 262) and two enrolled resolutions, (S. 21 and S. 32,) I am directed to bring them to the Senate for the signature of its President.

On motion by Mr. Hale,

Ordered, That a message be sent to the House of Representatives to request the return of the resolution which passed the Senate changing the day for the adjournment of Congress, for the purpose of correcting an error in the engrossment thereof.

The Senate proceeded to consider the report of the Committee on Military Affairs and the Militia, on the resolution relative to the engraving of the map of the explorations of Lieutenant Warren, in Nebraska; and

On motion,

Ordered, That the resolution be referred to the Committee on Printing.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: I am directed by the House of Representatives to return to the Senate, in compliance with its request, the resolution changing the day for the adjournment of Congress.

The error in the engrossment of the said resolution having been corrected,

Ordered, That the Secretary return the resolution to the House of Representatives.

Mr. Mallory submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs and the Militia be directed to inquire into the condition of Forts Jefferson and Taylor, at Key West and Tortugas, and the expediency and expense of putting them both in a defensible condition.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives concur in the resolution of the Senate changing the day for the adjournment of Congress, with an amendment, in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed five enrolled bills, S. 297 and H. R. 446, H. R. 300, H. R. 502, H. R. 518, and an enrolled resolution, H. R. 26, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bills, (S. 47, S. 262, S. 297, and H. R. 446,) and the enrolled resolutions, (S. 21 and S. 32,) this day reported to have been examined, also the enrolled bills H. R. 300, H. R. 502, H. R. 518, and the enrolled resolution, H. R. 26, and

they were delivered to the committee to be presented to the President of the United States.

On motion by Mr. Yulee, that the Senate proceed to the consideration of the bill (S. 143) to create the office of Fourth Assistant Postmaster General,

It was determined in the affirmative, { Yeas 29
Nays 20

On motion by Mr. Yulee,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Bigler, Bright, Brown, Collamer, Davis, Fessenden, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hayne, Houston, Johnson, of Arkansas, Jones, Kennedy, Mallory, Polk, Pugh, Rice, Sebastian, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Clay, Crittenden, Dixon, Doolittle, Foster, Hamlin, Harlan, Hunter, Johnson, of Tennessee, King, Pearce, Reid, Seward, Trumbull, Wade, Wilson.

Whereupon,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 143) to create the office of Fourth Assistant Postmaster General ; and

The hour fixed for the consideration of the special order of the day having arrived,

On motion by Mr. Yulee, that the consideration of the special order of the day be postponed for the purpose of proceeding in the consideration of the bill, (S. 143,)

It was determined in the negative.

The Senate resumed the consideration of the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th June, 1859.

On motion by Mr. Gwin, to amend the bill by inserting, after line 113, the following :

For making the surveys of the confirmed private land claims in California, the surveyor general is hereby authorized to pay such sum as he may deem reasonable, according to the circumstances connected with each case, not exceeding at the rate of twenty-five dollars for each mile of the boundary lines of any claim, and also for such lines as may necessarily be run and marked or measured, in order to connect the lines of such claim with those of the adjacent public surveys.

On motion by Mr. Johnson, of Arkansas, to amend the same by adding thereto :

Provided, That the surveyor or surveyors hereafter executing any such surveys of private claims shall accompany his or their return of such surveys with his affidavit that no compensation has been received by him, directly or indirectly, or agreed to be paid to or received by him, for the same, from any quarter other than the government of the United States.

It was determined in the affirmative.

On motion by Mr. Harlan, to amend the said amendment by adding thereto :

Provided, That it shall be the duty of the surveyor general of California to award each contract to execute said surveys to the lowest responsible bidder, he being a practical surveyor, after reasonable notice, to be published in two newspapers of the largest circulation in the State of California.

It was determined in the affirmative.

On the question to agree to the said amendment, proposed by Mr. Gwin, as amended,

It was determined in the affirmative, { Yeas 26
Nays 21

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Bright, Broderick, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fitch, Foot, Gwin, Hammond, Harlan, Iverson, Johnson, of Arkansas, Jones, Mallory, Seward, Simmons, Stuart, Trumbull, Wade, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Davis, Fitzpatrick, Hale, Hayne, Houston, Hunter, Mason, Pearce, Polk, Pugh, Reid, Rice, Slidell, Toombs, Wright.

On motion by Mr. Slidell, to reconsider the vote on agreeing to the amendment making an appropriation for completing the improvement of the channel over the St. Clair flats,

It was determined in the affirmative, { Yeas 31
Nays 25

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mason, Pearce, Polk, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

So the vote on the amendment was reconsidered.

The question recurring on agreeing to the amendment,

It was determined in the negative, { Yeas 24
Nays 30

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pugh, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitch, Green, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Mason, Pearce, Polk, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

So the proposed amendment was rejected.

On motion by Mr Mason, from the Committee on Foreign Relations, to amend the bill by inserting the following :

SEC. —. *And be it further enacted, That all diplomatic and salaried consular officers who were appointed under the act entitled "An act to remodel the diplomatic and consular systems of the United States," approved March the first, eighteen hundred and fifty-five, shall have the same compensation during the time necessarily occupied in making the transit to, and returning from, their respective posts, and while they were receiving their instructions, as is provided for diplomatic and salaried consular officers in the eighth section of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August eighteenth, eighteen hundred and fifty-six. Provided, That the foregoing shall not be construed to apply to any diplomatic or consular officer who was in office and at his post of duty when said act, approved March first, eighteen hundred and fifty-five, took effect, except to allow compensation to such officers during the time necessarily occupied in returning from their respective posts.*

A question of order was raised by Mr. Hunter, whether the amendment was in order ; and

The President (Mr. Stuart in the chair) decided that it was in order.

On the question to agree to the amendment,

It was determined in the affirmative, { Yeas 25
Nays 21

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Bigler, Bright, Broderick, Brown, Cameron, Clay, Dixon, Douglas, Fitch, Fitzpatrick, Hale, Hammond, Houston, Iverson, Mallory, Mason, Polk, Reid, Sebastian, Seward, Simmons, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Chandler, Clingman, Collamer, Davis, Durkee, Fessenden, Foster, Green, Harlan, Hayne, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Pearce, Pugh, Stuart, Wade, Wilson.

On motion by Mr. Collamer to reconsider the vote agreeing to the amendment providing that the collectors of the customs in the several collection districts shall act as disbursing agents,

It was determined in the affirmative.

The amendment being under consideration,

On motion by Mr. Collamer to amend the same by striking out after "hospitals," the words "or other public works,"

It was determined in the affirmative.

On motion by Mr. Wilson, further to amend the amendment by inserting after "work" "herein specified,"

It was determined in the affirmative.

On the question to agree to the amendment as amended,

It was determined in the affirmative.

On motion by Mr. Seward to amend the bill by inserting :

SEC. —. *And be it further enacted, That the public lands in the Territory of Kansas shall not be offered at public sale until the expiration of one year from and after the first day of November next,*

It was determined in the negative, { Yeas 17
Nays..... 29

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Cameron, Chandler, Collamer, Durkee, Fessenden, Foot, Foster, Hale, Harlan, King, Rice, Seward, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Pearce, Polk, Pugh, Reid, Sebastian, Slidell, Thomson, of New Jersey, Wright, Yulee.

So the proposed amendment was not agreed to.

On motion by Mr. Johnson, of Arkansas, from the Committee on Printing, to amend the bill by inserting :

For lithographing and engraving, ordered by the Senate during the present session, the sum of \$45,000 ;

For binding documents ordered to be printed by the Senate, during the present session, the sum of \$40,000 ;

It was determined in the affirmative.

On motion by Mr. Bright, from the Committee on Finance, to amend the bill by inserting :

To supply a deficiency in the appropriation for legislative and contingent expenses of Washington Territory, for the fiscal year ending June 30, 1857, the sum of seven thousand five hundred dollars, or so much thereof as may be necessary,

It was determined in the affirmative.

On motion by Mr. Johnson, of Tennessee,

To amend the bill by striking out the following clause :

"For continuing the grading and planting with trees the unimproved portions of the mall, \$10,000,"

It was determined in the negative, { Yeas 14
Nays 30

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bigler, Broderick, Clay, Fitzpatrick, Harlan, Houston, Hunter, Iverson, Johnson, of Tennessee, Polk, Pugh, Reid, Trumbull, Wilson.

Those who voted in the negative are,
Messrs. Allen, Bell, Benjamin, Bright, Brown, Cameron, Clingman, Davis, Douglas, Durkee, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hammond, Hayne, Johnson, of Arkansas, Mallory, Mason, Pearce, Rice, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Wade, Yulee.

On motion by Mr. Johnson, of Tennessee,
To amend the bill by striking out the following clause :
“For United States Capitol extension, seven hundred and fifty thousand dollars,”

It was determined in the negative, { Yeas..... 3
Nays 43

On motion by Mr. Johnson, of Tennessee,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Johnson, of Tennessee, Polk, Pugh.
Those who voted in the negative are,
Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Cameron, Clay, Clingman, Collamer, Crittenden, Davis, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Gwin, Hammond, Harlan, Houston, Hunter, Iverson, Mallory, Mason, Pearce, Reid, Rice, Sebastian, Seward, Simmons, Slidell, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright, Yulee.

No further amendment being proposed,
Ordered, That the amendments be engrossed, and the bill read a third time.

The said bill was read a third time, as amended.

On the question, Shall the bill pass with amendments?

It was determined in the affirmative, { Yeas..... 35
Nays 13

On motion by Mr. Pugh,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Clay, Clingman, Davis, Douglas, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Gwin, Hammond, Houston, Hunter, Iverson, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Rice, Sebastian, Stuart, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,
Messrs. Cameron, Chandler, Doolittle, Durkee, Hamlin, Harlan, Johnson, of Tennessee, King, Pugh, Seward, Trumbull, Wade, Wilson.

So it was,

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, was considered as in Committee of the Whole; and,

After the consideration of executive business,
The Senate adjourned.

FRIDAY, JUNE 4, 1858.

The Vice President laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, information relative to the lists of post offices, regulations, &c., published by George S. Gideon in 1855, and by John C. Rives in 1857; which was read.

Ordered, That it lie on the table and be printed.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 432) to amend an act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1856;" which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 433) to run, mark, and survey the western boundary of the State of Minnesota; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Bright presented the petition of J. W. Cummins, for himself and other temporary clerks employed under authority of law, praying to be allowed the benefit of the act of April 22, 1854; which was referred to the Committee on Finance.

Mr. Foster presented the petition of George B. Bacon, who performed the duties of purser, while holding an appointment as captain's clerk on board the sloop-of-war Portsmouth, praying compensation for his services as purser; which was referred to the Committee on Naval Affairs.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print one thousand extra copies of the report on commercial relations, reported in favor of printing the same; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print certain papers relating to the case of Schuyler & Livingston, reported in favor of printing the same; and

The report was agreed to.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the memorial of the Executive Board of the American Indian Aid Association, reported adversely thereon.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Treasury relative to the appointment and compensation of A. G. Penn and Emile La Sere, reported in favor of printing the report; and

The report was agreed to.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the petition of R. F. Hunter, submitted an adverse report thereon.

Mr. Johnson, of Arkansas, from the Committee on Printing, who were instructed by a resolution of the House of Representatives of the 5th of April last, "to inquire into the propriety of suspending the printing of any books which may have been ordered by any previous Congress; and if the printing of any of said books has been commenced, that they inquire how far the work has progressed, and whether it is proper to discontinue their publication, and pay for the work which may have been done; and that they report by bill or otherwise," submitted a report, accompanied by the following resolutions; which were considered, by unanimous consent, and agreed to:

Resolved, That the resolution of the Senate of the 24th February, 1855, directing the printing of 11,000 extra copies of the Reports of the Explorations and Surveys to ascertain the most practicable and economical route for a railroad from the Mississippi river to the Pacific ocean, be so far modified as that no extra copies of the volume of charts be printed for distribution by the members of the Senate; and that the printing of the volume comprising the narrative of the expedition under Governor Stevens be suspended until the further order of the Senate.

Resolved, That the resolution of the Senate of the 15th August, 1856, which directs the printing of 2,000 extra copies of the Appendix to the Report of Major Emory on the Mexican Boundary Survey, be so far modified as to authorize the printing of only 1,000 extra copies of said report.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (H. R. 456) granting an invalid pension to Brevet Major John Jones, of Tennessee, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and the reported amendment having been agreed to, the bill was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, reported it without amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1858, reported it with an amendment.

The Senate proceeded to consider the amendment of the House of Representatives to the resolution of the Senate changing the day for the adjournment of Congress; and,

On the question to concur in the amendment,

It was determined in the affirmative, { Yeas..... 29
Nays 27

On motion,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Broderick, Brown, Cameron, Chandler, Clay, Clingman, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foster, Green, Hale, Hamlin, Hammond, Johnson, of Arkansas, Pearce, Pugh, Reid, Sebastian, Simmons, Thompson, of Kentucky, Toombs, Wade, Wright.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Bright, Davis, Fitch, Foot, Gwin, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, Jones, Kennedy, King, Mallory, Mason, Polk, Seward, Slidell, Stuart, Thomson, of New Jersey, Trumbull, Wilson, Yulee.

So it was

Resolved, That the Senate concur in the amendment of the House of Representatives to the said resolution.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Thompson, of New Jersey, from the Committee on Pensions, to whom was referred the petition of John H. Yewell, submitted an adverse report thereon.

Mr. Yulee, from the Committee on Post Offices and Post Roads, who were instructed by a resolution of the Senate to inquire whether the Post Office laws authorize a postmaster to refuse to deliver letters to a person authorized to receive them by the persons to whom they are addressed, and if any legislation be required on this subject, submitted a communication from the Postmaster General in relation to the subject; which was ordered to be printed.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (S. 423) for the relief of Jane Perry, reported it without amendment, and that it ought not to pass.

On motion by Mr. Jones,

Ordered, That Jane Perry have leave to withdraw her papers.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 233) for the relief of Sylvanus Burnham, reported it without amendment.

Mr. Foster, from the Committee on Pensions, to whom were referred the following bills:

H. R. 534. An act for the relief of Allen Smith;

H. R. 221. An act for the relief of Mary Bainbridge;

H. R. 239. An act for the relief of Zina Williams;

H. R. 229. An act for the relief of Samuel Goodrich, jr.;

H. R. 459. An act granting an invalid pension to Silas Stevens, of Virginia; reported them, severally, without amendment.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 366) for the relief of John Duncan, reported it with an amendment.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (H. R. 224) for the relief of Stephen Bunnell, reported it with amendments.

Mr. King, from the Committee on Pensions, to whom was referred

the bill (H. R. 464) for the relief of Cornelius H. Latham, reported it without amendment.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 532) for the relief of Ebenezer Hitchcock, reported it without amendment, and adversely.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 511) for the relief of Nehemiah S. Draper and William Holden, heirs-at-law of Mary Draper, deceased, reported it without amendment, and adversely.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the bill (H. R. 506) for the relief of the administrator of Horatio Boulton, deceased, reported it without amendment, and adversely.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the bill (H. R. 267) for the relief of Timothy L. O'Keeffe, reported it without amendment, and submitted an adverse report thereon.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 321) for the relief of John B. Roper, reported it without amendment.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 528) for the relief of Judith Nott, reported it without amendment.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 458) for the relief of Evelina Porter, widow of the late Commodore David Porter, of the United States navy, reported it without amendment.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 277) for the relief of Mary Boyle, reported it without amendment.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom were referred the following bills :

H. R. 527. An act for the relief of Phineas G. Pearson ;

H. R. 531. An act for the relief of John Perry, of Illinois ;

H. R. 457. An act for the relief of Kennedy O'Brien ;

H. R. 346. An act for the relief of William Sutton ; reported them, severally, without amendment.

Mr. Thompson, of Kentucky, from the Committee on Pensions, to whom were referred the following bills :

H. R. 529. An act for the relief of John C. Rathbun ;

H. R. 345. An act for the relief of Nancy Magill, of Ohio ; reported them without amendment.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 246) for the relief of certain settlers on the public lands in the State of Wisconsin, reported it without amendment.

Mr. Johnson, of Arkansas, from the Committee on Public Lands, to whom was referred the petition of Theresa Dardenne, submitted a report, (No. 302,) accompanied by a bill (S. 434) for the relief of Theresa Dardenne, widow of Abraham Dardenne, deceased, and their children.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The said bill (S. 434) was read the second time, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Johnson, of Arkansas, from the Committee on Public Lands, to whom was referred the bill (S. 54) to revive an act entitled "An act for the relief of the representatives of John Donnelson, Stephen Heard, and others," approved May 24, 1824, reported it with an amendment.

Mr. Johnson, of Arkansas, also submitted a report on the subject, (No. 301,) which was ordered to be printed.

The Senate proceeded to consider the said bill (S. 54) as in Committee of the Whole; and the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be: "An act to revive an extend and act entitled 'An act for the relief of the representatives of John Donnelson, Stephen Heard, and others,' approved May 24, 1824, and the several acts extending, continuing, and reviving the same."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (S. 200) in relation to the duties of postmasters, reported it without amendment, and that it ought not to pass.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of James T. V. Thompson, submitted a report, (No. 303,) accompanied by a bill (S. 435) for the relief of James T. V. Thompson.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The said bill (S. 435) was read the second time, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Simmons, from the Committee on Patents and the Patent Office, to whom was referred the petition of Nathaniel Hayward, submitted a report, (No. 304,) accompanied by a bill (S. 436) for the relief of Nathaniel Hayward.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the memorial of the State of Georgia for the repayment of moneys advanced by that State for supplies furnished by Peter Trezvant, reported a bill (S. 437) to refund to the State of Georgia the amount paid by said State to Peter Trezvant for supplies furnished certain troops during the revolutionary war ; which was read and passed to a second reading.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Charles M. Perry, submitted a report, (No. 306,) accompanied by a bill (S. 439) for the relief of Charles M. Perry.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Polk, from the Committee on Claims, to whom was referred the report of the Court of Claims on the claim of Joseph Clymer, submitted a report, (No. 305,) accompanied by a bill (S. 438) for the relief of Joseph Clymer.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Hunter, that the Senate proceed to the consideration of the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859,

It was determined in the negative, {	Yeas.....	27
	Nays	27

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bigler, Cameron, Clay, Clingman, Collamer, Davis, Dixon, Durkee, Fessenden, Fitzpatrick, Gwin, Hale, Hammond, Hayne, Hunter, Johnson, of Arkansas, Mason, Pearce, Polk, Reid, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Benjamin, Bright, Broderick, Brown, Chandler, Doolittle, Fitch, Foot, Foster, Green, Hamlin, Harlan, Houston, Iverson, Johnson, of Tennessee, Jones, Kennedy, King, Mallory, Pugh, Seward, Simmons, Trumbull, Wade, Wilson.

Mr. Jones reported from the committee that they yesterday presented to the President of the United States the following enrolled bills and resolutions :

S. 47. An act confirming locations of land warrants under certain circumstances ;

S. 262. An act for the relief of the heirs or legal representatives of Richard D. Rowland, deceased, and others ;

S. 297. An act to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February three, eighteen hundred and fifty-three ;

H. R. 300. An act declaring the title to land warrants in certain cases ;

H. R. 446. An act for the relief of D. O. Dickinson ;

H. R. 502. An act for the relief of S. W. and A. A. Turner ;

H. R. 518. An act to continue the pension heretofore paid to Mary C. Hamilton, widow of Captain Fowler Hamilton, late of the United States army ;

S. 21. A resolution devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1852 ;

H. R. 26. Joint resolution authorizing the arrangement and disposal of public buildings in the city of Philadelphia ;

S. R. 32. Joint resolution for the benefit of the widow of Commander William Lewis Herndon, United States navy.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President : The House of Representatives concur in the amendments of the Senate to the bill (H. R. 6) making appropriations for the consular and diplomatic expenses of the government for the year ending the 30th of June, 1859 ; and

It has passed a bill (H. R. 538) for the relief of settlers on certain lands in the State of Illinois, in which it requests the concurrence of the Senate.

Mr. Jones reported from the committee that they had examined, and found duly enrolled, the bill (H. R. 6) making appropriations for the consular and diplomatic expenses of the government for the year ending the 30th of June, 1859 ;

The bill (H. R. 538) for the relief of settlers on certain lands in the State of Illinois, was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

On motion by Mr. Iverson, that the Senate proceed to the consideration of the bills on the private callendar, from the number to which they had been previously called,

It was determined in the affirmative, { Yeas..... 32
Nays 11

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Bigler, Bright, Brown, Davis, Dixon, Doolittle, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Hamlin, Houston, Iverson, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Reid, Seward, Simmons, Slidell, Stuart, Thompson, of Kentucky, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Clay, Clingman, Green, Gwin, Hammond, Thomson, of New Jersey, Toombs, Wright, Yulee.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed a joint resolution (H. R. 36) giving construction to the second section of the act of February 3, 1853, to continue half-pay to certain widows and orphans, in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill (H. R. 152) I am directed to bring it to the Senate for the signature of its President.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States approved and signed, the 3d instant, the following acts and resolutions:

S. 21. A resolution devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1854;

S. 32. A resolution for the benefit of the widow of Commander William Lewis Herndon, United States navy;

S. 47. An act confirming locations of land warrants under certain circumstances;

H. R. 262. An act for the relief of the heirs or legal representatives of Richard D. Rowland, deceased, and others;

S. 297. An act to extend an act entitled "An act to continue half pay to certain widows and orphans," approved February 3, 1853.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 152) to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the territories of the United States and the State of Texas.

The Vice President signed the enrolled bill (H. R. 152) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

The bill (S. 334) for the relief of Thomas Laurent, surviving partner of the firm of Benjamin & Thomas Laurent, was read the second time and considered, as in Committee of the Whole, and having been amended, on the motion of Mr. Pugh,

Ordered, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 6,) I am directed to bring it to the Senate for the signature of its President.

The Vice President signed the enrolled bill (H. R. 6) making appropriations for the consular and diplomatic expenses of the government for the year ending the 30th of June, 1859, and it was delivered to the committee to be presented to the President of the United States.

The following bills were read the second time and considered as in Committee of the Whole:

S. 398. Bill for the relief of William Money;

S. 400. Bill to surrender the stock of the United States in the Dismal Swamp Canal Company, upon certain conditions, to said company;

S. 403. Bill for the relief of George Stealey;

S. 407. Bill for the relief of Mills Judson, surety on the official bond of the late Purser Andrew D. Crosby;

S. 411. Bill for the relief of Ebenezer Ricker;

S. 417. Bill for the relief of Willis A. Gorman;

S. 418. Bill for the relief of Captain John B. Montgomery;

S. 421. Bill to authorize the Secretary of the Interior to issue a land warrant to Benjamin Ward;

S. 426. Bill to authorize the Secretary of the Interior to issue a land warrant to Russell Fitch, of Ohio ;

S. 428. Bill for the relief of James Myer ;

S. 427. Bill for the relief of Thomas W. Ward, late United States consul at Panama ;

S. 429. Bill for the relief of Jane J. Wingerd ; and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read the third time, by unanimous consent,

Resolved, That they pass, and that the titles thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the following bills and joint resolution :

S. 201. Bill to execute the treaties of 1817 and 1819 with the Cherokees, by making provision for the reservations under the same ;

S. 244. Bill for the relief of Henry G. Carson ;

S. 290. Bill for the relief of the legal representatives of George Mayo, deceased ;

S. 46. Resolution authorizing the payment of certain moneys to certain Cherokee Indians remaining east of the Rocky Mountains ; and

Resolved, That the said bills and resolution be postponed indefinitely.

The Senate proceeded to consider, as in Committee of the Whole, the following bills :

H. R. 254. An act for the relief of William Hutchenson ;

H. R. 267. An act for the relief of Timothy L. O'Keeffe ;

H. R. 506. An act for the relief of the administrator of Horatio Boulton, deceased ;

H. R. 511. An act for the relief of Nehemiah S. Draper and William Holden, heirs at law of Mary Draper, deceased ;

H. R. 532. An act for the relief of Ebenezer Hitchcock ; and no amendment being made, they were reported to the Senate.

Resolved, That the said bills be postponed indefinitely.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the following bills and joint resolutions :

H. R. 169. An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon city and Winchester, in the Territory of Oregon ;

H. R. 203. An act for the relief of George W. Biscoe ;

H. R. 256. An act for the relief of Oliver P. Hovey ;

H. R. 332. An act for the relief of Richard B. Alexander ;

H. R. 334. An act for the relief of Simeon Stedman ;

H. R. 335. An act for the relief of Susannah Redman, widow of Lloyd Redman ;

H. R. 344. An act for the relief of Captain Stanton Sholes ;

H. R. 347. An act for the relief of Joseph Webb ;

H. R. 453. An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy ;

H. R. 455. An act for the relief of Micajah Brooks ;

H. R. 490. An act for the relief of Isaac Body and Samuel Fleming ;

H. R. 503. An act for the relief of Job Stafford, of the State of New York ;

H. R. 504. An act for the relief of Elizabeth McBrier, only surviving child and heir of Colonel Archibald Loughry, deceased.

H. R. 547. An act for the relief of Benjamin Wakefield ;

H. R. 462. An act granting an invalid pension to James Fugate, of Missouri ;

H. R. 42. An act granting a pension to Mary A. M. Jones ;

H. R. 257. An act to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes ;

H. R. 512. An act for the relief of Elijah Close, of Tennessee ;

H. R. 514. An act granting an invalid pension to Conrad Schroeder ;

H. R. 515. An act granting an invalid pension to Alexander S. Bean, of Pennsylvania ;

H. R. 516. An act for the relief of Michael A. Davenport, of Illinois ;

H. R. 523. An act for the relief of Wyatt Griffith ;

H. R. 530. An act for the relief of Stephen Fellows ;

H. R. 219. An act for the relief of William Heine, artist in the Japan Expedition ;

H. R. 492. An act for the relief of John Dearmit ;

H. R. 493. An act for the relief of Stuckey and Rogers ;

H. R. 543. An act for the relief of the legal representatives of John McDonough, deceased, late of Louisiana ;

H. R. C. C. 65. An act for the relief of Benjamin L. McAtee and J. N. Eastman, of Louisville, Kentucky ;

H. R. C. C. 81. An act for the relief of the heirs of William Turvin, deceased ;

H. R. 451. An act for the relief of the legal representatives of Jean Baptiste Devidrine ;

H. R. 476. An act for the relief of James Rumph.

H. R. 486. An act for the relief of Alonzo and Elbridge G. Colby ;

H. R. 533. An act for the relief of Shove Case, of New York ;

H. R. 570. An act for the relief of Lieutenant Loomis L. Langdon ;

H. R. 571. An act for the relief of David McClure, administrator of Joseph McClure, deceased ;

H. R. 572. An act for the relief of Lewis W. Broadwell ;

H. R. 464. An act for the relief of Cornelius H. Latham ;

H. R. 480. An act for the relief of Doctor Ferdinand O. Miller ;

H. R. 269. An act for the relief of David Bruce ;

H. R. 452. An act for the relief of Dr. Thomas Antisell ;

H. R. 569. An act for the relief of Gardner and Vincent and others ;

H. R. 573. An act for the relief of Thomas Hasam and B. S. Brewster ;

H. R. 238. An act for the relief of the heirs of Richard Tarvin ;

H. R. 528. An act for the relief of Judith Nott ;

H. R. 321. An act for the relief of John B. Roper ;

H. R. 10. Joint resolution for the relief of General Sylvester Churchill ;
H. R. 24. Joint resolution for the relief of Henry Orndorf ; and
No amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills and joint resolutions were severally read the third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 327) to affirm certain entries of land in the State of Louisiana ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 322) for the relief of purchasers of public lands within the timber reserve opposite Fort Kearney, and for the settlers within the Winnebago Agency reservation and the Fort Atkinson reservation and the timber reserve opposite Fort Crawford, all in the State of Iowa ; and, the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

Resolved, That it pass, and that the title thereof be : "An act for the relief of purchasers of public land within the timber reserve opposite Fort Kearney, and for the settlers within the Winnebago Agency reservation and the Fort Atkinson reservation, all in the State of Iowa."

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 389) providing for the allotment of lands to certain New York Indians, and for other purposes ; and, the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 414) to reimburse the corporation of Georgetown, in the District of Columbia, a sum of money advanced towards the construction of the Little Falls bridge ; and, the blank having been filled with the words "four thousand six hundred," and no amendment being made, the bill was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Toombs, that the Senate reconsider the vote on passing the bill (H. R. 42) granting a pension to Mary A. M. Jones,

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 356) for the relief of Roswell Minard, father of Theodore Minard, deceased; and, having been amended on the motion of Mr. Pugh, the bill was reported to the Senate and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 366) for the relief of John Duncan; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read the third time, as amended.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed sixteen enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of its President.

On motion by Mr. Hunter, that the prior orders be postponed for the purpose of considering the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859.

It was determined in the negative.

The joint resolution (H. R. 36) giving construction to the second section of the act of February 3, 1853, to continue half pay to certain widows and orphans, was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

On motion by Mr. Hunter, to postpone the prior orders of the day for the purpose of considering the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859,

It was determined in the negative, { Yeas..... 22
Nays 22

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bigler, Bright, Clark, Clay, Clingman, Fessenden, Fitzpatrick, Gwin, Hale, Hunter, Johnson, of Arkansas, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Broderick, Brown, Crittenden, Doolittle, Fitch, Foot, Foster, Green, Hamlin, Houston, Iverson, Johnson, of Tennessee, Jones, Pugh, Sebastian, Seward, Simmons, Stuart, Wade, Wilson.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bills and joint resolution :

H. R. C. C. 65. An act for the relief of Benjamin L. McAtee and Isaac N. Eastham, of Louisville, Kentucky.

H. R. 169. An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon City and Winchester, in the Territory of Oregon ;

H. R. 203. An act for the relief of George W. Biscoe ;

H. R. 256. An act for the relief of Oliver P. Hovey ;

H. R. 332. An act for the relief of Richard B. Alexander ;

H. R. 334. An act for the relief of Simeon Stedman ;

H. R. 335. An act for the relief of Susanna Redman, widow of Lloyd Redman ;

H. R. 344. An act for the relief of Captain Stanton Sholes ;

H. R. 347. An act for the relief of Joseph Webb ;

H. R. 453. An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy ;

H. R. 455. An act for the relief of Micajah Brooks ;

H. R. 490. An act for the relief of Isaac Body and Samuel Fleming ;

H. R. 503. An act for the relief of Job Stafford, of the State of New York ;

H. R. 504. An act for the relief of Elizabeth McBrier, only surviving child and heir of Colonel Archibald Loughry, deceased ;

H. R. 547. An act for the relief of Benjamin Wakefield ;

H. R. 572. An act for the relief of Lewis W. Broadwell ;

H. R. 10. Joint resolution for the relief of General Sylvester Churchill.

On motion by Mr. Toombs,

The Senate proceeded to consider the motion to re-consider the vote on the bill (H. R. 42) granting a pension to Mary A. M. Jones, and the motion was agreed to.

The Vice President signed the sixteen enrolled bills and the enrolled resolution last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the following bills and joint resolution :

H. R. C. C. 81. An act for the relief of the heirs of William Tarvin, deceased ;

H. R. 356. An act for the relief of Rosswell Minard, father of Theodore Minard, deceased ;

H. R. 451. An act for the relief of the legal representatives of Jean Baptiste Devidrine ;

H. R. 476. An act for the relief of James Rumph ;

H. R. 486. An act for the relief of Alonzo and Elbridge G. Colby ;

H. R. 492. An act for the relief of John Dearmit ;

- H. R. 493. An act for the relief of Stuckey and Rogers ;
H. R. 533. An act for the relief of Shove Chase, of New York ;
H. R. 543. An act for the relief of the legal representatives of John McDonough, deceased, of Louisiana ;
H. R. 570. An act for the relief of Lieutenant Loomis L. Langdon ;
H. R. 571. An act for the relief of David McClure, administrator of Joseph McClure, deceased ;
H. R. 24. Joint resolution for the relief of Henry Orndorf.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the following bills ; in which it requests the concurrence of the Senate :

- H. R. C. C. 84. An act for the relief of Ferdinand Coxe ;
H. R. C. C. 85. An act for the relief of Peter Parker.

After the consideration of executive business,
The Senate adjourned.

SATURDAY, JUNE 5, 1858.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the following bills of the Senate :

S. 226. An act for the relief of Mrs. Harriet O. Read, executrix of the late Brevet Colonel A. C. W. Fanning, of the United States army ;

S. 318. An act for the relief of Keep, Bard and Company, J. Caulfield, and Joseph Landis and Company ;

S. 323. An act to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians ;
and

It has passed the following bills, in which it requests the concurrence of the Senate :

H. R. 302. An act to continue the office of register of the land office at Vincennes, Indiana ;

H. R. 303. An act giving the assent of Congress to a law of the Missouri legislature for the application of the reserved two per cent. land fund of said State ;

H. R. 341. An act for the relief of John Harris, of Warren county Kentucky ;

H. R. 342. An act for the relief of John Campbell ;

H. R. 361. An act for the relief of William Rich ;

H. R. 363. An act granting an invalid pension to Henry Miller ;

H. R. 364. An act for the relief of Mary B. Dusenbury ;

H. R. 365. An act granting a pension to Jeremiah Wright ;

H. R. 619. An act for the relief of John Sawyer, a soldier of the war of the revolution.

The House of Representatives concur in the amendment of the Senate

to the bill of the House (H. R. 456) granting an invalid pension to Brevet Major John Jones, of Tennessee.

The Speaker of the House of Representatives having signed twelve enrolled bills (H. R. C. C. 81, H. R. 219, H. R. 451, H. R. 456, H. R. 476, H. R. 486, H. R. 492, H. R. 493, H. R. 533, H. R. 543, H. R. 570, H. R. 571) and an enrolled resolution, (H. R. 24,) I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bills (H. R. C. C. 81, H. R. 451, H. R. 476, H. R. 486, H. R. 492, H. R. 493, H. R. 533, H. R. 543, H. R. 570, H. R. 571) and the enrolled resolution (H. R. 24) yesterday reported to have been examined; also, the enrolled bills (H. R. 219) for the relief of William Heine, artist in the Japan expedition, and (H. R. 456) granting an invalid pension to Brevet Major John Jones, of Tennessee, and they were delivered to the Committee to be presented to the President of the United States.

Mr. Jones reported from the Committee that they had examined and found duly enrolled the following bills:

H. R. 528. An act for the relief of Judith Nott;

H. R. 238. An act for the relief of the heirs of Richard Tarvin;

H. R. 456. An act granting an invalid pension to Brevet Major John Jones, of Tennessee;

H. R. 573. An act for the relief of Thomas Hasam and B. S. Brewster.

Mr. Doolittle reported from the Committee that they had examined and found duly enrolled the following bills:

S. 226. An act for the relief of Mrs. Harriet O. Read, executrix of the late Brevet Colonel A. C. W. Fanning, of the United States army;

S. 318. An act for the relief of Keep, Bard & Co., J. Caulfield, and Jos. Landis & Co.;

S. 323. An act to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians.

The bills received for concurrence from the House of Representatives were read the first and second times, by unanimous consent.

Ordered, That the bills numbered 341, 342, 363, 364, 365, and 619, be referred to the Committee on Pensions; that the bills numbered 302 and 303 be referred to the Committee on Public Lands, and that the bill numbered 361 be referred to the Committee on Foreign Relations.

Mr. Bigler submitted the following resolution for consideration:

Resolved, the House of Representatives concurring, That the resolution directing the President of the Senate and the Speaker of the House of Representatives to declare their respective Houses adjourned *sine die* on Thursday, the 10th of June, at 12 o'clock meridian, be, and the same is hereby, rescinded; and that the President of the Senate and the Speaker of the House of Representatives declare the respective Houses adjourned *sine die* on Monday, the 21st of June, at 12 o'clock m.

Mr. Houston announced the death of the Hon. J. Pinckney Henderson, which took place in the city of Washington on the 4th inst.

Mr. Houston submitted the following resolutions; which were considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect to the memory of the Hon. J. Pinckney Henderson, deceased, a senator from the State of Texas, will go into mourning for the residue of the present session, by the usual mode of wearing crape on the left arm.

Resolved, unanimously, That the members of the Senate will attend the funeral of the deceased from the Senate chamber at 3 o'clock p. m., to-morrow; and that the committee of arrangements, consisting of Messrs. Bayard, Cameron, Clay, Wade, Hammond, and Seward, superintend the same.

Ordered, That the Secretary communicate these proceedings to the House of Representatives.

Whereupon

The Senate adjourned.

MONDAY, JUNE 7, 1858.

The bill (H. R. C. C. 84) for the relief of Ferdinand Coxe was read the first and second times, by unanimous consent, and referred to the Committee on Claims.

The bill (H. R. C. C. 85) for the relief of Peter Parker was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Pugh presented a petition of citizens of Muskingum, Ohio, praying the enactment of a general bankrupt law.

Ordered, That it lie on the table.

Mr. Bigler presented a petition of citizens of Bourbon county, Kansas, praying the establishment of a mail route between Kansas city and Fort Scott; which was referred to the Committee on Post Offices and Post Roads.

Mr. Pugh presented an affidavit of John W. Blake, relative to the election of the Hon. Jesse D. Bright and the Hon. Graham N. Fitch as senators in Congress from the State of Indiana.

Ordered, That it lie on the table.

On motion by Mr. Doolittle,

Ordered, That a message be sent to the House of Representatives to request the return of the engrossed bill (H. R. 356) for the relief of Roswell Minard, father of Theodore Minard, deceased, which passed the Senate the 4th instant.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed sundry enrolled bills, (H. R. 321, H. R. 267, H. R. 269, H. R.

480, H. R. 528, H. R. 573, H. R. 238, H. R. 464, H. R. 452, H. R. 659,) I am directed to bring them to the Senate for the signature of its President.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 392) to continue the office of register of the land office at Vincennes, Indiana, reported it without amendment.

Mr. Stuart, from the Committee on Public Lands, to whom were referred the following bills :

H. R. 489. An act for the relief of congressional township, number twenty-seven (27) north, of range number six (6) east, in Wabash county, in the State of Indiana ;

H. R. 538. An act for the relief of settlers on certain lands in the State of Illinois ; reported them, severally, without amendment.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 303) giving the assent of Congress to a law of the Missouri legislature for the application of the reserved two per cent. land fund of said State, reported it without amendment.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 365) authorizing the judges of the late Territory of Minnesota to discharge certain trusts, reported it with amendments.

Mr. Stuart asked and, by unanimous consent, obtained leave to bring in a bill (S. 440) for the relief of James Tilton ; which was read the first and second times, by unanimous consent, and referred to the Committee on Public Lands.

Mr. Jones, from the Committee on Pensions, to whom were referred the following bills :

H. R. 365. An act granting a pension to Jeremiah Wright ;

H. R. 363. An act granting an invalid pension to Henry Miller ; reported them, severally, without amendment, and that they ought not to pass.

Mr. Jones, from the Committee on Pensions, to whom were referred the following bill and joint resolution :

H. R. 342. An act for the relief of John Campbell ;

H. R. 36. Joint resolution giving construction to the second section of the act of February 3, 1853, "to continue half pay to certain widows and orphans ;" reported them without amendment.

Mr. Thomson, of New Jersey, from the Committee on Pensions, to whom was referred the bill (H. R. 258) for the relief of Augustus J. Kuhn, reported it without amendment.

On motion by Mr. Foster,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of citizens of Barnstable county, Massachusetts.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (H. R. 264) granting a pension to Thomas Allcock, of Rochester, New York, reported it with an amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, reported it with amendments.

Mr. Hunter submitted the following resolution for consideration :

Resolved, That the President of the United States be requested to cause the heads of the executive departments to submit estimates at the next session of Congress, upon the basis of an expenditure not exceeding sixty-four millions of dollars, exclusive of the payment of the public debt, for the fiscal year commencing the 1st July, 1859.

On motion by Mr. Clay,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of William B. Whiting ; resolutions of the legislature of New York, relative to pensions to soldiers of the Indian wars of 1791 and 1795 ; the petition of Margaret McGuire, and the memorial of Elizabeth Spear.

Mr. Kennedy presented resolutions of the legislature of Maryland, relative to the construction of a new canal around the falls of the Ohio river ; which were referred to the Committee on Commerce.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the following subjects :

Papers relating to the claim of Louis Roberts ;

Papers in relation to the claim of Alexander Wood, administrator of the estate of Wm. Wood and George M. Wood ;

Papers relating to the claim of Adam P. Shegley ;

Papers in relation to the claim of John N. Dodgson ;

Papers in relation to the claim of Alexander Wood, administrator of the estate of Josiah W. Stewart ;

Memorial of George T. Durham ;

Petition of Samuel J. Hensley.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 432) to amend an act entitled " An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1856," reported it with an amendment.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 433) to run, mark, and survey the western boundary of the State of Minnesota, reported it without amendment.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 34) explanatory of an act entitled " An act to settle certain accounts between the United States and the State of Mississippi and other States," approved the 3d of March, 1857, reported it without amendment, and submitted a report (No. 308) ; which was ordered to be printed.

On motion by Mr. Stuart,

Ordered, That the bill lie on the table.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the memorial of the city of St. Paul, Minnesota, reported a bill (S. 441) relinquishing the interest of the United States in certain land to the city of Saint Paul, Minnesota ; which was read and passed to a second reading.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the following subjects :

S. 105. A bill to ascertain and adjust the titles to certain lands in Kansas ;

S. 246. A bill to provide for the geological and mineralogical survey of the Territory of New Mexico ;

S. 27. A resolution authorizing the suspension of sales of public lands in the Territory of Kansas ;

S. 24. A bill to secure to actual settlers the alternate sections of the public lands reserved in the grants to the States for railroads.

S. 415. A bill to extend the principles of the pre-emption act to certain lands herein mentioned, and for other purposes.

S. 378. A bill to enable the Columbian College, in the District of Columbia, to found and establish a professorship of agriculture and mechanical science and to complete her endowment fund, and for the benefit of the public schools of Washington, D. C.;

S. 379. A bill to enable the Columbian College, in the District of Columbia, to found and establish a professorship of agriculture and mechanical science and complete her endowment fund, and for the benefit of the public schools of Washington, D. C.;

Two petitions of citizens of Washington, praying a donation of land or an appropriation of money for the permanent endowment of the Columbian College, in the District of Columbia ;

Memorial of the trustees of the Columbian College, at the city of Washington, praying a grant of land for the endowment of said college ;

Memorial of the Minnesota legislature, praying relief to those settlers whose pre-emption claims have been lost by the grant of lands to Minnesota for railroad purposes ;

Petition of R. T. Walton and other heirs-at-law of Jehu Walton ;

Memorial of the Minnesota legislature for an amendment of the second section of an act granting land to Minnesota for railroad purposes ;

Petition of commissioned officers of the rifle company of the 14th regiment of the 4th division of Michigan militia ;

Resolution by Mr. Jones, instructing the Committee on Public Lands to inquire into the expediency of establishing two new land offices in Nebraska Territory ;

Petition of citizens of the town of Fort Scott, Kansas ;

Petition of citizens of Bourbon county, Kansas, settlers on lands known as the New York Indian lands ;

Petition of S. Gilbert and others, praying that a grant of land may be made to aid in the construction of a ship canal around the Falls of Niagara ;

Petition of Noah Gammon ;

Memorial of the legislature of Missouri, praying that the unsurveyed swamp lands may be patented to that State without being surveyed ;

Resolutions of the legislature of California, in favor of the enactment of a law granting to that State five per cent. of the proceeds of the sales of the public lands in California for school purposes ;

Resolutions of the legislature of Wisconsin, in favor of a donation of land to aid in the construction of a ship canal around the Falls of Niagara ;

Resolution of the legislature of California, in favor of the enactment of a law granting land to actual settlers in that State ;

Petition of E. G. Spaulding and others, that the public lands be not granted to corporations ;

Resolutions of the legislature of California in relation to school lands in that State ;

Communication from A. J. Moulder, superintendent of public instruction of California ;

Memorial of the legislature of Nebraska, in relation to the establishment of a new surveying district and the office of surveyor general for that Territory ;

Petition of citizens of Buffalo, New York, against the granting of the public lands to corporations, and that they be retained for actual settlers ;

Memorial of the register and receiver of the land office at Detroit, Michigan ;

Memorial of the register and receiver of the land office at Huntsville, Alabama ;

Memorial of the register and receiver of the land office at Helena, Arkansas ;

Memorial of the register and receiver of the land office at Fort Des Moines ;

Memorial of the register and receiver of the land office at Jackson, Mississippi ;

Memorial of the register and receiver of the land office at Indianapolis, Indiana ;

Memorial of the register and receiver of the land office at Fort Dodge, Iowa ;

Memorial of the register and receiver of the land office at Montgomery, Alabama ;

Memorial of the register and receiver of the land office at Huntsville, Alabama ;

Memorial of the register and receiver of the land office at Fayette, Missouri ;

Memorial of the register and receiver of the land office at New Orleans, Louisiana ;

Memorial of the register and receiver of the land office at St. Stephens, Alabama ;

Memorial of the register and receiver of the land office at Superior, Wisconsin ;

Memorial of the register and receiver of the land office at Washington, Mississippi ;

Memorial of the register and receiver of the land office at Mineral Point, Wisconsin.

Mr Jones reported from the committee that they presented to the President of the United States, the 4th instant, the following enrolled bills and resolutions :

S. 102. An act for the relief of Thomas Phoenix, jr ;

H. R. 6. An act making appropriations for the consular and diplomatic expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-nine ;

H. R. C. C. 65. An act for the relief of Benjamin L. McAtee and Isaac N. Eastham, of Louisville, Kentucky ;

H. R. 152. An act to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas ;

H. R. 169. An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon City and Winchester, in the Territory of Oregon ;

H. R. 203. An act for the relief of George W. Biscoe ;

H. R. 256. An act for the relief of Oliver P. Hovey ;

H. R. 332. An act for the relief of Richard B. Alexander ;

H. R. 334. An act for the relief of Simeon Stedman ;

H. R. 335. An act for the relief of Susanna Redman, widow of Lloyd Redman ;

H. R. 344. An act for the relief of Captain Stanton Sholes ;

H. R. 347. An act for the relief of Joseph Webb ;

H. R. 453. An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy ;

H. R. 455. An act for the relief of Micajah Brooks ;

H. R. 490. An act for the relief of Isaac Body and Samuel Fleming ;

H. H. 503. An act for the relief of Job Stafford, of the State of New York ;

H. R. 504. An act for the relief of Elizabeth McBrier, only surviving child and heir of Colonel Archibald Loughry, deceased ;

H. R. 547. An act for the relief of Benjamin Wakefield ;

H. R. 572. An act for the relief of Lewis W. Broadwell ;

H. R. 10. Joint resolution for the relief of General Sylvester Churchill ;

H. R. 31. Joint resolution authorizing Commander M. F. Maury to accept a gold medal awarded to him by the Emperor of Austria ;

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills and joint resolution :

H. R. 219. An act for the relief of William Heine, artist of the Japan Expedition ;

H. R. C. C. 81. An act for the relief of the heirs of William Turvin, deceased ;

H. R. 451. An act for the relief of the legal representatives of Jean Baptiste Devidrine ;

H. R. 456. An act granting an invalid pension to Brevet Major John Jones, of Tennessee ;

H. R. 476. An act for the relief of James Rumph ;

H. R. 486. An act for the relief of Alonzo and Elbridge G. Colby ;

H. R. 492. An act for the relief of John Dearmit ;

H. R. 493. An act for the relief of Stuckey and Rogers ;

H. R. 533. An act for the relief of Shove Chase, of New York ;

H. R. 543. An act for the relief of the legal representatives of John McDonough, deceased, late of Louisiana ;

H. R. 570. An act for the relief of Lieutenant Loomis L. Langdon ;

H. R. 571. An act for the relief of David McClure, administrator of Joseph McClure, deceased ;

H. R. 24. Joint resolution for the relief of Henry Orndorf.

Mr. Davis presented the credentials of the Hon. Albert G. Brown, elected a senator by the legislature of the State of Mississippi for the term of six years, beginning on the 4th day of March, 1859 ; which were read.

Mr. Allen, from the Committee on Commerce, to whom were referred two memorials of citizens of New York and Brooklyn, praying the adoption of measures to ascertain the correctness of certain alleged discoveries of guano on Jarvis and Baker's islands, in the Pacific ocean, the quality of the guano, and its accessibility to merchant vessels, submitted a report, (No. 307,) which was ordered to be printed.

A message from the House of Representatives, by Mr. Allen, its Clerk.

Mr. President: The House of Representatives has passed the following bills of the Senate :

S. 198. An act for the relief of Joseph Hardy and Alton Long ;

S. 230. An act for the relief of the legal representatives of Daniel Hay, deceased ; and

It has passed the following bills, in which it requests the concurrence of the Senate :

H. R. 647. An act to change the time of holding the spring term of the district court of the United States for the western district of the State of Texas ;

H. R. 648. An act for the relief of Gotleib Sheerer.

The Speaker of the House of Representatives having signed sundry enrolled bills, (S. 318, S. 226, and S. 323,) I am directed to bring them to the Senate for the signature of its President.

On motion by Mr. Thompson, of Kentucky,

Ordered, That the bill (H. R. 363) granting an invalid pension to Henry Miller, be recommitted to the Committee on Pensions.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. C. C. 85) for the relief of Peter Parker.

The bills from the House of Representatives (H. R. 647 and H. R. 648) were read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Rice reported from the committee that they had examined and found duly enrolled the bill (S. 198) for the relief of Joseph Hardy and Alton Long, and the bill (S. 230) for the relief of the legal representatives of Daniel Hay, deceased.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, (S. 230 and H. R. C. C. 85,) I am directed to bring them to the Senate for the signature of its President.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States approved and

signed, the 5th instant, an act (S. 102) for the relief of Thomas Phenix, jr.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills :

H. R. 573. An act for the relief of Thomas Hasam and B. S. Brewster ;

H. R. 480. An act for the relief of Dr. Ferdinand O. Miller ;

H. R. 238. An act for the relief of the heirs of Richard Tarvin ;

H. R. 452. An act for the relief of Dr. Thomas Antisell ;

H. R. 267. An act for the relief of Timothy L. O'Keeffe ;

H. R. 464. An act for the relief of Cornelius H. Latham ;

H. R. 269. An act for the relief of David Bruce ;

H. R. 321. An act for the relief of John B. Roper ;

H. R. 528. An act for the relief of Judith Nott ;

H. R. 569. An act for the relief of Gardner and Vincent, and others.

The Vice President signed the enrolled bills (H. R. C. C. 85, H. R. 238, H. R. 267, H. R. 269, H. R. 452, H. R. 464, H. R. 480, H. R. 528, H. R. 569, H. R. 573, and S. 230,) this day reported to have been examined, and the enrolled bills (S. 226, S. 318, and S. 323) reported to have been examined on the 5th instant ; also, the enrolled bill (H. R. 321) for the relief of John B. Roper ; and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the bill (H. R. 42) granting a pension to Mary A. M. Jones ; and

The vote on passing the bill to a third reading was reconsidered.

On motion by Mr. Toombs, to amend the bill by striking out "fifty-two" and inserting *fifty-seven*,

It was determined in the negative, {	Yeas	22
	Nays	28

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Bright, Cameron, Chandler, Clay, Fessenden, Fitch, Foster, Green, Harlan, Hunter, Iverson, Johnson, of Tennessee, Polk, Slidell, Stuart, Thompson, of Kentucky, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Brown, Clark, Clingman, Collamer, Dixon, Doolittle, Douglas, Gwin, Hale, Hamlin, Hammond, Hayne, Houston, Jones, Kennedy, King, Mallory, Mason, Pugh, Reid, Sebastian, Seward, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson.

On motion by Mr. Seward, to amend the bill by adding the following section :

And be it further enacted, That the name of Myra Clarke Gaines, widow of Major General Edmund P. Gaines, United States army, be placed on the pension roll, and that she be paid at the rate of half the pay proper per month to which the said Gaines was entitled at his death,

to commence from the 6th day of June, 1849, and continue during her natural life;

A motion was made by Mr. Toombs to amend the amendment, by striking out "half the pay proper per month to which the said Gaines was entitled at his death," and inserting, *not exceeding fifty dollars per month.*

On the question to agree to the amendment,

The yeas were 24, and the nays 24.

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Benjamin, Bright, Broderick, Clay, Clingman, Durkee, Fessenden, Fitzpatrick, Foster, Hamlin, Harlan, Hunter, Iverson, Johnson, of Tennessee, King, Mallory, Mason, Pearce, Polk, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Allen, Brown, Cameron, Clark, Collamer, Crittenden, Davis, Dixon, Douglas, Foot, Green, Hayne, Houston, Johnson, of Arkansas, Jones, Kennedy, Reid, Seward, Simmons, Stuart, Thompson, of Kentucky, Trumbull, Wade, Wilson.

The Senate being equally divided,

The Vice President determined the question in the affirmative.

So the amendment of Mr. Toombs was agreed to.

On motion by Mr. Hunter,

Ordered, That the prior order of the day be postponed and that the Senate proceed to the consideration of the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859; and

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, eighteen hundred and fifty-nine; and

The reported amendment was agreed to.

On motion by Mr. Mallory, to amend the bill by inserting the following:

And be it further enacted, That the Secretary of the Navy, under the direction of the President of the United States, be, and he is hereby, authorized to cause a stone dry dock for the naval service to be constructed upon the most approved plan at the navy yard at Pensacola, Florida; and that, toward defraying the expense thereof, the sum of one hundred thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated,

It was determined in the negative, { Yeas..... 16
Nays. 31

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Hale, Hammond, Hayne, Iverson, Mallory, Sebastian, Simmons, Thompson, of Kentucky, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Clark, Clay, Collamer, Crittenden, Davis, Dixon, Doolittle, Fessenden, Fitzpatrick, Foot, Foster, Harlan,

Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Mason, Pearce, Polk, Pugh, Reid, Rice, Seward, Stuart, Toombs, Trumbull, Wade.

On motion by Mr. Mallory, from the Committee on Naval Affairs, to amend the bill by adding the following section :

And be it further enacted, That the Secretary of the Navy cause to be constructed, as speedily as may be consistent with the public interests, five steam screw sloops-of-war, with full steam power, whose greatest draught of water in active service shall not exceed twelve feet, and four steam screw sloops-of-war, with full steam power, whose greatest draught of water in active service shall not exceed fourteen feet, which ships shall combine the heaviest armament and greatest speed compatible with their character and tonnage; and in addition thereto, one side-wheel war steamer, whose greatest draught shall not exceed eight feet, armed and provided for service in the China seas; and that there be, and is hereby appropriated, to be expended under the direction of the Secretary of the Navy, for the purpose above specified, the sum of twelve hundred thousand dollars, out of any money in the treasury not otherwise appropriated.

A motion was made by Mr. Hale to amend the same by striking out the following words, after line 4 :

“Four steam screw sloops-of-war, with full steam power, whose greatest draught of water, in active service, shall not exceed fourteen feet, which ships shall combine the heaviest armament and greatest speed compatible with their character and tonnage,”

It was determined in the negative, { Yeas..... 22
Nays 31

On motion by Mr. Kennedy,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Cameron, Chandler, Clay, Crittenden, Davis, Doolittle, Fessenden, Hale, Hamlin, Harlan, Houston, Hunter, Johnson, of Tennessee, King, Polk, Pugh, Seward, Toombs, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Clingman, Dixon, Douglas, Fitch, Foster, Green, Gwin, Hammond, Hayne, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Mason, Pearce, Reid, Rice, Sebastian, Simmons, Slidell, Thomson, of New Jersey, Wright.

On motion by Mr. Clingman, to amend the amendment proposed by Mr. Mallory, by inserting, after “seas,” in line 11, *and twenty gun-boats, with full steam power,*

A debate ensued.

On motion by Mr. Mason, that the Senate adjourn,

It was determined in the negative, { Yeas..... 17
Nays..... 31

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bell, Benjamin, Bigler, Broderick, Clark, Clingman, Douglas, Hammond, Harlan, Houston, King, Mason, Pugh, Thomson, of New Jersey, Trumbull, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bright, Brown, Cameron, Collamer, Crittenden, Davis, Doolittle, Fessenden, Fitch, Fitzpatrick, Foster, Green, Hale, Hamlin, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Pearce, Polk, Reid, Rice, Sebastian, Simmons, Stuart, Wilson.

On the question to agree to the amendment proposed by Mr. Clingman,

It was determined in the negative, { Yeas..... 12
Nays 34

On motion by Mr. Kennedy,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Bigler, Brown, Clingman, Douglas, Fitch, Green, Hammond, Kennedy, Reid, Sebastian, Thomson, of New Jersey.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bright, Broderick, Cameron, Chandler, Clark, Collamer, Crittenden, Davis, Doolittle, Fessenden, Fitzpatrick, Foster, Hale, Hamlin, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, King, Mason, Pearce, Polk, Pugh, Rice, Simmons, Stuart, Toombs, Trumbull, Wilson, Wright, Yulee.

On motion by Mr. Green, to amend the amendment by inserting the following:

SEC. —. *And be it further enacted, That if, after the flagrant commission of outrages on our citizens by other powers, the President deem it necessary and important for the protection of our citizens, rights, and commerce, or for speedy redress of such wrongs, he shall be authorized and empowered to grant and issue letters of marque and reprisal to American vessels, to continue until the meeting of Congress next thereafter, and he shall then inform Congress of all the facts that induced his action in that regard,*

It was determined in the negative, { Yeas..... 6
Nays 40

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Brown, Douglas, Green, Johnson, of Tennessee, Pugh, Rice.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Broderick, Cameron, Chandler, Clingman, Collamer, Crittenden, Davis, Dixon, Doolittle, Fessenden, Fitch, Fitzpatrick, Foster, Hale, Hamlin, Houston, Hunter, Iverson, Johnson, of Arkansas, Kennedy, King, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Simmons, Stuart, Toombs, Trumbull, Wilson, Wright, Yulee.

On the question to agree to the amendment proposed by Mr. Mallory,

It was determined in the negative, { Yeas..... 20
Nays 24

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Clingman

Crittenden, Douglas, Fitch, Iverson, Kennedy, Mallory, Mason, Pearce, Reid, Sebastian, Simmons, Wilson, Wright.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Collamer, Davis, Dixon, Doolittle, Fessenden, Fitzpatrick, Foster, Green, Hale, Hamlin, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Polk, Pugh, Rice, Stuart, Toombs, Trumbull, Yulee.

On motion by Mr. Mallory, from the Committee on Naval Affairs, to amend the bill by adding the following :

SEC. —. *And be it further enacted, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a judge advocate for the naval service, to hold his office four years, unless sooner removed by the President, who shall be learned in the law, and who shall receive for his services twenty-five hundred dollars per annum, and his travelling expenses. It shall be his duty to prepare, under the direction of the Secretary of the Navy, all charges and specifications of charges to be preferred before naval courts-martial and courts of inquiry, and to keep accurate records thereof; to prepare specific instructions in each case to the acting judge advocate to be designated by the Secretary of the Navy; to codify and arrange all the laws of Congress, and the rulings and decisions of the district, circuit, and supreme courts of the United States, touching courts-martial and courts of inquiry; and to compile and submit to the Secretary of the Navy general instructions, forms, and principles applicable to them, and the manner of conducting them, and to preserve perfect records of all such courts and of the cases tried or heard before them: Provided, That nothing herein shall preclude commanders of squadrons on foreign stations from ordering such courts, when, in their opinion, the exigencies of the public service may demand them, under such rules and regulations as said judge advocate general, with the approbation of the Secretary of the Navy, may prescribe,*

It was determined in the negative, {	Yeas.....	17
	Nays	26

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bright, Crittenden, Dixon, Fitch, Foster, Hale, Iverson, Kennedy, Mallory, Mason, Pearce, Sebastian, Wright.

Those who voted in the negative are,

Messrs. Bigler, Broderick, Chandler, Clingman, Collamer, Davis, Doolittle, Douglas, Fessenden, Fitzpatrick, Hamlin, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Polk, Pugh, Reid, Rice, Seward, Slidell, Stuart, Toombs, Trumbull, Wilson.

On motion by Mr. Iverson, from the Committee on Claims, to amend the bill by adding thereto the following :

And be it further enacted, That all the officers of the navy who were put on the retired list upon "furlough pay" by the late "Retiring Naval Board," and have been advanced and put on the "leave pay" list by the late naval courts of inquiry, with the approval of the President, shall be entitled to receive "leave pay" for and during the time they were on the "furlough list" aforesaid, deducting such sums as they may

have received for "furlough pay" during said time; and that such officers as were dropped from the navy by the President, under the decision and recommendation of the said "Naval Retiring Board," and have been restored to the navy by the said courts of inquiry and the President, and put upon the "furlough" or "leave" lists, shall be entitled to pay according to their present position, during the time they were so dropped and out of the navy, deducting any amount which they may have actually received under the act of 16th January, 1857, entitled "An act to amend an act to promote the efficiency of the navy."

Mr. Hunter made a question of order, whether the amendment was in order under the 30th rule.

The Vice President decided that it was not in order.

From this decision Mr. Iverson appealed; and

The question being put, Shall the decision of the chair stand as the judgment of the Senate?

It was determined in the affirmative.

On motion by Mr. Bell, to amend the bill by inserting:

SEC. —. *And be it further enacted, That from and after the first of July, 1856, the clerks and messengers and watchmen at the navy yard and marine barracks at Washington shall be entitled to receive the compensation authorized by the acts of April 22, 1854, and August 5, 1854, for the payment of which such sum as may be necessary, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated;*

Mr. Hunter made a question of order, whether the amendment was in order under the 30th rule; and

The Vice President decided that it was in order.

On the question to agree to the amendment,

It was determined in the affirmative.

On motion by Mr. Houston, to amend the bill by inserting the following:

SEC. —. *And be it further enacted, That the widows and legal heirs of the officers of the late Texas navy, who were in service at the time of annexation, and have since deceased, be, and they are hereby, placed on the same footing that the officers of the said navy were placed who were living on the third of March, 1857, and that the midshipmen of the said navy shall be regarded as commissioned officers by the Secretary of the Navy, and be entitled to the benefits intended by this section;*

Mr. Hunter made a question of order, whether the amendment was in order under the 30th rule.

The Vice President decided that it was not in order.

From this decision Mr. Houston appealed; and

The question being put, Shall the decision of the chair stand as the judgment of the Senate?

It was determined in the affirmative, { Yeas..... 31
Nays 5

On motion by Mr. Houston,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Bell, Bigler, Broderick, Cameron, Chandler, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Hunter, Iverson, Johnson, of Arkansas, Johnson,

of Tennessee, Mallory, Pearce, Polk, Pugh, Reid, Sebastian, Slidell, Stuart, Toombs, Trumbull, Wright.

Those who voted in the negative are,

Messrs. Collamer, Fitch, Houston, Rice, Seward.

The bill having been amended, was reported to the Senate, and the amendments were concurred in.

On motion by Mr. Mallory, from the Committee on Naval Affairs, to amend the bill by inserting:

SEC. —. *And be it further enacted, That the Secretary of the Navy cause to be constructed, as speedily as may be consistent with the public interests, five steam screw sloops-of-war, with full steam power, whose greatest draught of water shall not exceed fourteen feet, which ships shall combine the heaviest armament and greatest speed compatible with their character and tonnage; and one side-wheel war-steamer, whose greatest draught shall not exceed eight feet, armed and provided for service in the China seas; and that there be, and is hereby, appropriated, to be expended under the direction of the Secretary of the Navy, for the purpose above specified, the sum of twelve hundred thousand dollars out of any money in the treasury not otherwise appropriated,*

It was determined in the affirmative, { Yeas 19
Nays 17

On motion by Mr. Mallory,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Bell, Bigler, Brown, Crittenden, Dixon, Doolittle, Douglas, Fessenden, Fitch, Foster, Hale, Hamlin, Mallory, Pearce, Reid, Sebastian, Slidell, Wright.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Chandler, Foot, Harlan, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Polk, Pugh, Rice, Seward, Stuart, Toombs, Trumbull.

On motion by Mr. Crittenden, to amend the bill by adding the following section:

SEC. —. *And be it further enacted, That all the steamships of the Navy of the United States now building, or hereafter to be built, shall be named by the Secretary of the Navy, under the direction of the President of the United States, according to the following rule, namely: all those of forty guns or more shall be considered of the first class, and shall be called after the States of the Union; those of twenty guns, and under forty, shall be considered as of the second class, and be called after the rivers and principal towns or cities; and all those of less than twenty guns shall be the third class, and named by the Secretary of the Navy as the President may direct, care being taken that no two vessels in the navy shall bear the same name.*

It was determined in the affirmative.

No further amendment being made,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Seward presented papers in relation to the cost of continuing the engraving and publication of Lieutenant Warren's chart or map of his explorations in Nebraska; which were referred to the Committee on Printing.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 243) making appropriations for the support of the army for the year ending the 30th of June, 1859; and,

On motion by Mr. Hunter,
The Senate adjourned.

TUESDAY, JUNE 8, 1858.

Mr. Doolittle submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the House of Representatives be requested to return to the Senate the bill (H. R. 267) for the relief of Timothy L. O'Keeffe, for the purpose of correcting an error.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a resolution requesting the Senate to return to the House the bill (S. 198) for the relief of Joseph Hardy and Alton Long.

The Senate proceeded to consider the resolution of the House of Representatives last mentioned; and

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (S. 198) for the relief of Joseph Hardy and Alton Long.

Mr. Mason presented the credentials of the honorable Robert M. T. Hunter, elected a senator by the legislature of Virginia for six years from the fourth day of March, 1859; which were read.

Mr. Jones presented the petition of Thomas M. Folk, praying an increase of pension; which was referred to the Committee on Pensions.

Mr. Gwin presented the memorial of Francis Huttman, praying remuneration for losses sustained in consequence of illegal proceedings of the collector of the customs at San Francisco, California; which was referred to the Committee on Claims.

Mr. Polk presented the petition of Thomas Allen and others, praying that certain land offices in Missouri may be closed under authority of law and consolidated at St. Louis; which was referred to the Committee on Public Lands.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States:

I transmit herewith a report from the Secretary of State, together with the documents by which it is accompanied, as embracing all the information which it is practicable or expedient to communicate in reply to the resolution of the Senate of the 31st ultimo, on the subject of guano.

JAMES BUCHANAN.

WASHINGTON, June 4, 1858.

The message was read.

Ordered, That it lie on the table and be printed.

The Senate proceeded to consider the resolution submitted by Mr. Bigler the fifth instant, to change the day for the adjournment of Congress; and, having been amended,

On the question to agree thereto,

It was determined in the affirmative, { Yeas43
Nays16

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Brown, Chandler, Clay, Clingman, Collamer, Crittenden, Douglas, Durkee, Fessenden, Fitch, Fitzpatrick, Foot, Green, Gwin, Hamlin, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Tennessee, King, Mallory, Mason, Polk, Reid, Rice, Sebastian, Seward, Simmons, Slidell, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Clark, Dixon, Doolittle, Foster, Hale, Harlan, Johnson, of Arkansas, Jones, Kennedy, Pearce, Pugh, Stuart, Thompson, of Kentucky, Toombs.

So the resolution was agreed to, as follows:

Resolved, the House of Representatives concurring, That the resolution directing the President of the Senate and the Speaker of the House of Representatives to declare their respective Houses adjourned *sine die* on Thursday, the 10th of June, at 12 o'clock meridian, be, and the same is hereby, rescinded; and that the President of the Senate and the Speaker of the House of Representatives declare the respective Houses adjourned *sine die* on Monday, the 14th of June, at 12 o'clock, meridian.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Vice President laid before the Senate a report of the Postmaster General, in answer to a resolution of the Senate, requesting information in relation to the Post Office at San Francisco; which was read.

Ordered, That it lie on the table.

Mr. Fitzpatrick presented the credentials of the honorable Clement C. Clay, jr., elected a senator by the legislature of the State of Alabama, for the term of six years, beginning with the 4th day of March, 1859; which were read.

On motion by Mr. Yulee, that the report of the Postmaster General relative to the post office at San Francisco be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Iverson, from the Committee on Claims, to whom were referred the papers relating to the claim of J. M. Pommares, submitted a report, (No. 309,) accompanied by a bill (S. 442) for the relief of J. M. Pommares.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 440) for the relief of James Tilton, reported it without amendment.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of John P. Figh and John H. Gindrat, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the petition and papers in the case of John P. Figh and John H. Gindrat be referred to the Court of Claims.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Peter N. Paillet, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the petition and accompanying papers in the case of Peter N. Paillet, praying indemnity for losses sustained during the war with Mexico, be, and the same are hereby, referred to the Court of Claims for examination of the character and amount of losses sustained by said petitioner, whether of goods, wares, merchandise, or money, as alleged in said petition, and to report to Congress the evidence in the case, with the opinion of the court upon the legality or equity of said claim.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the petition and papers in the case of Michael Hanson be withdrawn from the Court on Claims, and be referred to the Committee on Pensions.

Mr. Iverson, from the Committee on Claims, to whom was referred the bill (H. R. C. C. 84) for the relief of Ferdinand Coxe, reported it without amendment.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the bill (S. 369) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Indian department," approved July 30, 1854.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred the memorial of H. R. Schoolcraft, reported a bill (S. 443) for the relief of Henry R. Schoolcraft; which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom were referred sundry petitions of citizens of Missouri on the subject, reported a bill (S. 444) to consolidate at St. Louis, Missouri, such land districts as may be discontinued in that State; which was read and passed to a second reading.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (S. 333) to establish an additional land district in the State of Minnesota, reported it without amendment.

On motion by Mr. Benjamin,

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the following subjects:

S. 14. Bill to confirm the title in a certain tract of land in the State of Missouri to the heirs and legal representatives of Thomas Maddin, deceased;

S. 29. Joint resolution to refer the claim of Joseph Valliere, deceased, to the Court of Claims;

Resolution of the legislature of California, relative to land titles in that State;

Petition of John H. Phelps, and the petition of William Sawyer.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a resolution relative to the engraving and publishing a map of the explorations of Lieutenant Warren, in Nebraska Territory, reported in favor of printing five thousand copies of the said map ; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred the joint resolution (S. 39) directing the printing of certain reports therein mentioned, reported it without amendment, and adversely.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (H. R. 631) granting an invalid pension to John Holland, of Arkansas, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the joint resolution (H. R. 22) for the relief of Michael Pappreniza, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the bill (H. R. 361) for the relief of William Rich, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the petition of Ferdinand Coxe, submitted a report, (No. 310,) accompanied by a bill (S. 445) for the relief of Ferdinand Coxe.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred the memorial of John H. Wheeler, submitted a report, (No. 311,) accompanied by a bill (S. 446) for the relief of John H. Wheeler.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the memorial of Daniel B. Hibbard, submitted a report, (No. 312,) accompanied by a bill (S. 447) for the relief of Daniel B. Hibbard.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Bigler asked and, by unanimous consent, obtained leave to bring in a bill (S. 448) to repeal an act entitled "An act to expedite telegraphic communication for the uses of the government in its foreign intercourse," approved March 3, 1857 ; which was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed the resolution of the Senate (S. 31) authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print a letter of the Secretary of the Navy, with estimates of the cost of continuing the publication of the

charts of the North Pacific Ocean and Behring's Straits Expedition, reported against printing the same ; and

The report was agreed to.

The bill (S. 371) for the relief of Anthony W. Bayard, was read the second time and considered as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 246) for the relief of certain settlers on the public lands in the State of Wisconsin ; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Rice reported from the committee that they had examined and found duly enrolled the joint resolution (S. 31) authorizing the Secretary of War to expend the appropriation made July eighth, eighteen hundred and fifty-six, upon such channel of the St. Mary's river as he may select.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The President of the United States approved and signed on the 29th of May the following acts and joint resolution :

H. R. 170. An act for extending the land laws east of the Cascade mountains in Oregon and Washington Territories ;

H. R. 231. An act for the relief of Nancy Serena ;

H. R. 32. Joint resolution making appropriations to pay the expenses of the several investigating committees of the House of Representatives.

On the 2d instant an act (H. R. 201) making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859.

On the 3d of June the following acts and joint resolution :

H. R. 300. An act declaring the title to land warrants in certain cases ;

H. R. 446. An act for the relief of D. O. Dickinson ;

H. R. 502. An act for the relief of S. W. and A. A. Turner ;

H. R. 518. An act to continue the pension heretofore paid to Mary C. Hamilton, widow of Captain Fowler Hamilton, late of the United States army ;

H. R. 26. Joint resolution authorizing the arrangement and disposal of public buildings in the city of Philadelphia.

On the 5th of June the following acts and joint resolutions :

H. R. 152. An act to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the territories of the United States and the State of Texas ;

H. R. 31. A joint resolution authorizing Commander M. F. Maury to accept a gold medal awarded to him by the Emperor of Austria ;

H. R. 6. An act making appropriations for the consular and diplomatic expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-nine ;

H. R. 455. An act for the relief of Micajah Brooks ;

H. R. 572. An act for the relief of Lewis W. Broadwell ;

H. R. 332. An act for the relief of Richard B. Alexander ;

H. R. 334. An act for the relief of Simeon Stedman ;

H. R. 10. Joint resolution for the relief of General Sylvester Churchill ;

H. R. 504. An act for the relief of Elizabeth McBrier, only surviving child of Colonel Archibald Loughry, deceased ;

H. R. 335. An act for the relief of Susanna Redman, widow of Lloyd Redman ;

H. R. 203. An act for the relief of George W. Biscoe ;

H. R. 547. An act for the relief of Benjamin Wakefield ;

H. R. 256. An act for the relief of Oliver P. Hovey ;

H. R. 453. An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy ;

H. R. 503. An act for the relief of Job Stafford, of the State of New York ;

H. R. 490. An act for the relief of Isaac Body and Samuel Fleming ;

H. R. 347. An act for the relief of Joseph Webb ;

H. R. 169. An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon City and Winchester, in the Territory of Oregon ;

H. R. 344. An act for the relief of Captain Stanton Sholes ;

H. R. C. C. 65. An act for the relief of Benjamin L. McAtee and Isaac N. Eastham, of Louisville, Kentucky.

On the 7th of June the following acts and joint resolution ;

H. R. 219. An act for the relief of William Heine, artist in the Japan Expedition ;

H. R. 456. An act granting an invalid pension to Brevet Major John Jones, of Tennessee ;

H. R. 451. An act for the relief of the legal representatives of Jean Baptiste Devidrine ;

H. R. 486. An act for the relief of Alonzo and Elbridge G. Colby ;

H. R. 24. Joint resolution for the relief of Henry Orndorf ;

H. R. 543. An act for the relief of the legal representatives of John McDonough, deceased, late of Louisiana ;

H. R. 533. An act for the relief of Shove Chase, of New York ;

H. R. 571. An act for the relief of David McClure, administrator of Joseph McClure, deceased ;

H. R. C. C. 81. An act for the relief of the heirs of William Turvin, deceased ;

H. R. 476. An act for the relief of James Rumph ;

H. R. 493. An act for the relief of Stuckey and Rogers ;

H. R. 570. An act for the relief of Lieutenant Loomis L. Langdon ;

H. R. 492. An act for the relief of John Dearmit ;

The House of Representatives has passed a bill (H. R. 55) to regu-

late fees and costs to be allowed marshals, district attorneys, clerks of courts, jurors, and witnesses in the State of California and in the Territories of Oregon and Washington ; also, a bill (H. R. 583) providing for keeping and distributing all public documents ; in which bills it requests the concurrence of the Senate.

Mr. Jones reported from the committee that they had this day presented to the President of the United States the following enrolled bills:

S. 318. An act for the relief of Keep, Bard & Co., J. Caulfield, and Joseph Landis & Co.;

H. R. 528. An act for the relief of Judith Nott ;

H. R. 569. An act for the relief of Gardner & Vincent and others ;

H. R. 269. An act for the relief of David Bruce ;

H. R. 238. An act for the relief of the heirs of Richard Tarvin ;

S. 323. An act to confirm the sale of the reservation held by the Christian Indians and to provide a permanent home for said Indians ;

H. R. 452. An act for the relief of Dr. Thomas Antisell ;

H. R. 321. An act for the relief of John B. Roper ;

H. R. 480. An act for the relief of Dr. Ferdinand O. Miller ;

H. R. 573. An act for the relief of Thomas Hasam and B. S. Brewster ;

H. R. C. C. 85. An act for the relief of Peter Parker ;

S. 230. An act for the relief of the legal representatives of Daniel Hay, deceased ;

S. 226. An act for the relief of Mrs. Harriet O. Read, executrix of the late Brevet Colonel A. C. W. Fanning, of the United States army ;

H. R. 464. An act for the relief of Cornelius H. Latham.

The Senate resumed the consideration of the bill (H. R. 42) granting a pension to Mary A. M. Jones.

On motion by Mr. Iverson, that the Senate reconsider the vote agreeing to the amendment of Mr. Toombs to the amendment proposed by Mr. Seward, viz: Strike out the words "half the pay proper per month to which the said Gaines was entitled at his death" and insert: *not exceeding fifty dollars per month*,

It was determined in the affirmative,	{	Yeas.....	32
		Nays	16

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clark, Clingman, Crittenden, Dixon, Doolittle, Douglas, Fitch, Foot, Foster, Green, Hayne, Houston, Iverson, Jones, Kennedy, Polk, Reid, Sebastian, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Benjamin, Clay, Durkee, Fitzpatrick, Hale, Hamlin, Harlan, Hunter, Johnson, of Tennessee, King, Mason, Pearce, Pugh, Slidell, Toombs, Wright.

So the motion to reconsider the said amendment was agreed to ; and

The amendment of Mr. Toombs, viz: Strike out "half the pay

proper per month to which the said Gaines was entitled at his death," and insert: *not exceeding fifty dollars per month*, being under consideration,

On the question to agree thereto,

It was determined in the negative, { Yeas..... 21
Nays 27

On motion by Mr Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Bright, Broderick, Clay, Durkee, Foot, Foster, Hale, Hamlin, Harlan, Hunter, Johnson, of Tennessee, King, Mallory, Mason, Pearce, Pugh, Slidell, Thompson, of Kentucky, Toombs, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell, Brown, Cameron, Chandler, Clark, Clingman, Crittenden, Davis, Dixon, Doolittle, Douglas, Green, Hayne, Houston, Iverson, Jones, Kennedy, Polk, Reid, Sebastian, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

So the amendment was not agreed to.

On the question to agree to the amendment of Mr. Seward,

A debate ensued ; and,

The hour fixed for the consideration of the special order of the day having arrived,

On motion by Mr. Mason, that the special order of the day be postponed, and that the Senate proceed to the consideration of the bill (S. 402) to restrain and redress outrages upon the flag and citizens of the United States,

It was determined in the negative, { Yeas..... 15
Nays 40

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Clingman, Crittenden, Douglas, Green, Hayne, Houston, Mallory, Mason, Polk, Reid, Slidell, Thomson, of New Jersey.

Those who voted in the negative are,

Messrs. Bayard, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clark, Clay, Collamer, Davis, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hale, Hamlin, Hammond, Harlan, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, Pearce, Rice, Sebastian, Seward, Simmons, Stuart, Thompson, of Kentucky, Toombs, Trumbull, Wade, Wilson, Wright, Yulee.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills :

H. R. 257. An act to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes ;

H. R. 514. An act for granting an invalid pension to Conrad Schroeder ;

H. R. 516. An act for the relief of Michael A. Davenport, of Illinois ;

H. R. 246. An act for the relief of certain settlers on the public lands in the State of Wisconsin ;

H. R. 515. An act granting an invalid pension to Alexander S. Bean, of Pennsylvania ;

H. R. 523. An act for the relief of Wyatt Griffith ;

H. R. 512. An act for the relief of Elijah Close, of Tennessee ;

H. R. 462. An act granting an invalid pension to James Fugate, of Missouri ;

H. R. 530. An act for the relief of Stephen Fellows.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the following acts :

S. 230. An act for the relief of the legal representatives of Daniel Hay, deceased ;

S. 323. An act to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for the said Indians.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed sundry enrolled bills and an enrolled resolution, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the enrolled bills and resolution this day reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The bill from the House of Representatives (H. R. 55) was read the first and second times, by unanimous consent, and referred to the Committee on the Judiciary.

The bill from the House of Representatives (H. R. 583) was read the first and second times, by unanimous consent, and referred to the Committee on the Library.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 243) making appropriations for the support of the army for the year ending the 30th of June, 1859.

The following reported amendment being under consideration :
Strike out the words :

“ For the alterations of old arms, so as to make them breech-loading guns, in accordance with the recommendation of the Secretary of War, one hundred thousand dollars.”

On motion by Mr. Davis, to amend the same, by striking out the words “ breech-loading guns in accordance with the recommendation of the Secretary of War,” and in lieu thereof inserting : *conform to the present models, and for the purchase of approved breech-loading arms* : so that the clause will read,

For the alteration of old arms so as to make them conform to the present models, and for the purchase of approved breech-loading arms, one hundred thousand dollars.

A motion was made by Mr. Benjamin, to amend the amendment of Mr. Davis, so that, if adopted, the clause will then read,

For the alteration of old arms upon a plan to be selected and approved by a board of ordnance officers, so as to make them breech-loading guns, fifty thousand dollars; and for the alteration of old arms, so as to make them conform to the present models, and for the purchase of approved breech-loading arms, fifty thousand dollars; and

On the question to agree to the amendment of Mr. Benjamin,

It was determined in the affirmative, { Yeas..... 34
Nays..... 16

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Chandler, Clark, Clingman, Collamer, Dixon, Douglas, Durkee, Fitch, Fitzpatrick, Foster, Green, Hale, Harlan, Hayne, Houston, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Reid, Seward, Simmons, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wilson.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Clay, Davis, Doolittle, Fessenden, Hamlin, Hammond, Hunter, Iverson, Mason, Pearce, Pugh, Wade, Wright, Yulee.

The motion of Mr. Davis, as amended, on the motion of Mr. Benjamin, was then agreed to; and

On the question to agree to the reported amendment as amended, viz: Strike out the whole clause as amended,

It was determined in the affirmative, { Yeas..... 26
Nays 23

On motion by Mr. Benjamin,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Brown, Cameron, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foster, Green, Hale, Hamlin, Hammond, Hayne, Hunter, Johnson, of Tennessee, Mason, Pearce, Polk, Pugh, Reid, Stuart, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Clingman, Collamer, Davis, Douglas, Fitch, Fitzpatrick, Harlan, Houston, Iverson, Jones, Kennedy, Mallory, Seward, Simmons, Slidell, Thomson, of New Jersey, Toombs, Wilson.

On the question to agree to the following amendment, reported by the Committee on Finance: Insert at the end of the bill:

For payment of the volunteers operating in Florida during the year eighteen hundred and fifty-seven, three hundred and eighty-five thousand dollars,

It was determined in the affirmative, { Yeas..... 26
Nays 12

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Clingman, Davis, Fessenden, Fitch, Fitzpatrick, Foot, Green, Gwin, Hammond, Hayne,

Hunter, Jones, Mallory, Mason, Pearce, Polk, Pugh, Reid, Slidell, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Dixon, Doolittle, Foot, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, King, Seward, Trumbull, Wade, Wilson.

On motion by Mr. Davis, from the Committee on Military Affairs and the Militia, to amend the bill by inserting the following :

For the purchase of breech-loading carbines, of the best model, to be selected and approved by a board of ordnance officers, forty-five thousand dollars,

It was determined in the affirmative, { Yeas 30
Nays 17

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bigler, Bright, Broderick, Brown, Collamer, Crittenden, Davis, Dixon, Doolittle, Fitch, Fitzpatrick, Foot, Foster, Gwin, Hayne, Houston, Iverson, Kennedy, King, Mallory, Rice, Sebastian, Seward, Simmons, Slidell, Trumbull, Wilson, Wright.

Those who voted in the negative are,

Messrs. Benjamin, Cameron, Clay, Clingman, Fessenden, Green, Harlan, Hunter, Johnson, of Tennessee, Jones, Mason, Polk, Pugh, Reid, Stuart, Wade, Yulee.

On motion by Mr. Davis, from the Committee on Military Affairs and the Militia, to amend the bill by inserting after line 171 :

To enable the Secretary of War to compensate F. W. Lander for services performed and expenses incurred by him in making a reconnaissance for a railroad from Puget's Sound, via South Pass, to the Mississippi river, in 1854-'55, \$4,750, or as much thereof as the said Secretary may consider reasonable and proper, in full consideration for said services and expenses,

Mr. Hunter raised a question of order, whether the amendment was in order under the 30th rule ; and

The President (Mr. Bright in the chair) decided that it was in order.

On the question to agree to the amendment,

It was determined in the affirmative, { Yeas 23
Nays 20

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Brown, Davis, Douglas, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Gwin, Iverson, Kennedy, Mallory, Seward, Simmons, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Chandler, Clark, Clay, Clingman, Crittenden, Dixon, Doolittle, Hammond, Hayne, Houston, Hunter, Johnson, of Tennessee, Pearce, Polk, Pugh, Reid, Slidell, Trumbull, Wright.

On motion by Mr. Douglas, from the Committee on Territories, to amend the bill by inserting the following :

SEC. —. *And be it further enacted, That the sum of one hundred thousand dollars be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended in completing connected sections in the road extending from Albuquerque, in the Territory of New Mexico, westward on the route to the Colorado river, on or near the 35th parallel of north latitude,*

It was determined in the affirmative, { Yeas..... 23
Nays 17

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bright, Broderick, Cameron, Chandler, Clark, Douglas, Green, Gwin, Harlan, Hayne, Johnson, of Arkansas, Jones, King, Polk, Rice, Sebastian, Seward, Simmons, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Bayard, Clay, Clingman, Crittenden, Davis, Doolittle, Fitzpatrick, Foot, Houston, Hunter, Johnson, of Tennessee, Mason, Pearce, Reid, Slidell, Wilson, Yulee.

On motion by Mr. Clay, that the Senate adjourn,

It was determined in the negative, { Yeas 21
Nays 22

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Broderick, Clay, Clingman, Davis, Green, Hayne, Houston, Johnson, of Tennessee, Kennedy, King, Pearce, Reid, Sebastian, Seward, Trumbull, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Bright, Brown, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Hamlin, Hunter, Mallory, Polk, Simmons, Stuart, Toombs, Wilson.

On motion by Mr. Davis, from the Committee on Military Affairs and the Militia, to amend the bill by inserting the following :

SEC. —. *And be it further enacted, That the Secretary of War be, and he is hereby, authorized to sell, at the actual cost thereof, to the Post Office Department, such a number of fire-arms, of the most modern and efficient pattern, as may be necessary for the protection of mail stages and emigrant wagons on the route from St. Louis and Memphis to San Francisco.*

It was determined in the negative, { Yeas..... 14
Nays 26

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Fitch, Fitzpatrick, Green, Gwin, Hayne, Houston, King, Polk, Rice, Seward, Simmons, Wade, Wright.

Those who voted in the negative are,

Messrs. Bell, Benjamin, Bigler, Bright, Brown, Chandler, Clay, Clingman, Collamer, Dixon, Doolittle, Fessenden, Foot, Foster, Ham-

lin, Hunter, Johnson, of Tennessee, Kennedy, Mallory, Pearce, Reid, Stuart, Toombs, Trumbull, Wilson, Yulee.

On motion by Mr. Houston, to amend the bill by inserting the following:

SEC. —. *And be it further enacted, That there be appropriated, out of any money in the treasury not otherwise appropriated, the sum of seventy-five thousand four hundred and twenty-six dollars and thirty cents, to refund that amount paid by the State of Texas, for ranging service, which was expended for the protection of the frontier; and that the further amount of twelve thousand five hundred and eighteen dollars and twenty-one cents, which has been liquidated and is yet due to claimants, be, and is hereby, appropriated.*

A question was raised by Mr. Hunter, whether the amendment was in order under the 30th rule; and

The President (Mr. Clay in the chair) decided that it was not in order.

No further amendment being proposed, the bill was reported to the Senate.

On motion by Mr. Houston, to amend the bill by adding the following section:

SEC. —. *And be it further enacted, That twenty thousand dollars be appropriated to pay for timber used for the troops of the United States, in constructing forts, and for other purposes, and to enable the Secretary of War to pay to the citizens of Texas entitled to the same, on the production of the proper proofs of their claim to the same.*

Mr. Hunter made a question of order, whether the amendment was in order, under the 30th rule; and

The Vice President, in pursuance of the 6th rule, asked the sense of the Senate; and

The Senate decided that it was not in order.

On the question to concur in the following amendment, made as in Committee of the Whole, viz: insert the following:

For payment of the volunteers operating in Florida during the year eighteen hundred and fifty-seven, three hundred and eighty-five thousand dollars,

It was determined in the affirmative, { Yeas..... 25
Nays 16

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bright, Brown, Clay, Clingman, Collamer, Crittenden, Fitch, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Pearce, Polk, Rice, Sebastian, Slidell, Stuart, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Cameron, Chandler, Doolittle, Fessenden, Foot, Foster, Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Seward, Trumbull, Wade, Wilson.

So the amendment was concurred in.

On the question to concur in the following amendment,

For continuing the construction of the following works of defence: Fort Knox, at the narrows of the Penobscot river, Maine, \$50,000;

Fort Montgomery, outlet of Lake Champlain, New York, \$50,000; Fort at Hog Island ledge, in Portland harbor, Maine, \$50,000; Fort Richmond, Staten Island, New York harbor, New York, \$100,000; Fort Wood, New York harbor, \$20,000; Fort Delaware, Delaware river, Delaware, \$100,000; Fort Carroll, Sollers' Point flats, Baltimore harbor, Maryland, \$100,000; Fort Calhoun, Hampton roads, Virginia, \$75,000; Fort Sumpter, Charleston harbor, South Carolina, \$25,000; Fort Clinch, entrance to Cumberland Sound, Florida, \$75,000; Fort Taylor, Key West, Florida, \$100,000; Fort Jefferson, Garden Keys, Tortugas, Florida, \$200 000; Fort Pickens, Pensacola, Florida, (construction and repairs,) \$50,000; Fort Point, San Francisco, California, \$150,000; Fort Gaines, Dauphin Island, entrance to Mobile bay, Alabama, \$50,000; Fort St. Philip, Mississippi river, Louisiana, (extension and repairs,) \$10,000; for contingent expenses of fortifications, preservation of sites, protection of titles, and repairs of sudden damage, \$30,000; for construction of permanent platforms for modern cannon of large calibre in existing fortifications of important harbors, \$50,000,

It was determined in the affirmative, { Yeas..... 29
Nays 12

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Bright, Broderick, Brown, Cameron, Clay, Clingman, Collamer, Douglas, Fessenden, Fitch, Foot, Foster, Green, Houston, Iverson, Johnson, of Arkansas, Kennedy, King, Mallory, Pearce, Rice, Sebastian, Seward, Simmons, Slidell, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Crittenden, Doolittle, Hale, Harlan, Hunter, Johnson, of Tennessee, Polk, Stuart, Toombs, Trumbull, Wade.

So the amendment was concurred in.

On the question to concur in the following amendment:

And be it further enacted, That all the existing laws which authorize the sale of military sites which are or may become useless for military purposes be, and the same are hereby, repealed; and said lands shall not be subject to sale or pre-emption under any of the laws of the United States.

On motion by Mr. Yulee, to amend the same by adding thereto:

Provided further, That the provisions of the act of August eighteen, eighteen hundred and fifty-six, relative to certain reservations in the State of Florida, shall continue in force,

It was determined in the affirmative; and

The amendment as amended was concurred in.

The residue of the amendments, made as in Committee of the Whole, were then concurred in.

Ordered, That the amendments be engrossed and the bill be read a third time.

The said bill was read a third time as amended.

On the question, "Shall this bill pass as amended?"

It was determined in the affirmative, { Yeas..... 24
Nays 12

On motion by Mr. Wade,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bright, Broderick, Brown, Clingman, Douglas, Fitch, Green, Gwin, Houston, Hunter, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Pearce, Polk, Rice, Sebastian, Slidell, Stuart, Yulee.

Those who voted in the negative are,

Messrs. Chandler, Collamer, Doolittle, Foot, Foster, Hamlin, Harlan, King, Toombs, Trumbull, Wade, Wilson.

So it was

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Hunter, that the prior orders of the day be postponed to consider the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859,

It was determined in the affirmative.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th June, 1859.

On motion by Mr. Stuart,

The Senate adjourned.

WEDNESDAY, JUNE 9, 1858.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to some and disagrees to other amendments of the Senate to the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859; and it agrees to other amendments of the Senate to the said bill with amendments; in which it requests the concurrence of the Senate.

Mr. Jones reported from the Committee that they this day presented to the President of the United States the following enrolled bills and joint resolution:

H. R. 246. An act for the relief of certain settlers on the public lands in the State of Wisconsin;

H. R. 257. An act to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes;

H. R. 462. An act granting an invalid pension to James Fugate, of Missouri;

H. R. 512. An act for the relief of Elijah Close, of Tennessee;

H. R. 514. An act granting an invalid pension to Conrad Schroeder;

H. R. 515. An act granting an invalid pension to Alexander S. Bean, of Pennsylvania;

H. R. 516. An act for the relief of Michael A. Davenport, of Illinois;

H. R. 523. An act for the relief of Wyatt Griffith;

H. R. 530. An act for the relief of Stephen Fellows;

S. 31. A resolution authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select.

The Vice President laid before the Senate a letter of the Chief Clerk of the Court of Claims, in answer to a resolution of the Senate, in relation to the papers of Michael Hanson; which was read.

Ordered, That it lie on the table.

Mr. Doolittle submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Whereas it appears by the Journal of the Senate that House bill 356, for the relief of Roswell Minard, father of Theodore Minard, deceased, passed the Senate on the 4th day of June instant, with an amendment, and whereas said bill was by mistake erroneously reported to the House on the same day as having passed the Senate without amendment, and has been enrolled and signed by the presiding officers of both Houses of Congress, and the said enrollment of said bill is void, the same never having been passed by both Houses of Congress, therefore—

Resolved, That the President of the Senate be, and hereby is, authorized to cancel his signature upon said enrolled bill, and that the same be returned to the House, and the House of Representatives be respectfully requested to authorize the Speaker of the House of Representatives to cancel his signature upon said enrolled bill, and return to the Senate the engrossed bill, to enable the Senate to correct its report to the House of Representatives.

Mr. Doolittle submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Whereas it appears by the Journal of the Senate that House bill No. 267, for the relief of Timothy L. O'Keeffe, was indefinitely postponed by the Senate on the 4th day of June instant, and whereas said bill was by mistake erroneously reported to the House as having passed the Senate, and has been enrolled and signed by the presiding officers of both Houses of Congress, and the said enrollment of said bill is void, the same never having been passed by both Houses of Congress, therefore—

Resolved, That the President of the Senate be, and hereby is, authorized to cancel his signature upon said enrolled bill, and that the same be returned to the House of Representatives, and that the House of Representatives be respectfully requested to authorize the Speaker of the House of Representatives to cancel his signature upon said enrolled bill, and to return to the Senate the engrossed bill, to enable the Senate to correct its report to the House of Representatives.

Whereupon,

The Vice President cancelled his signature to the said enrolled bills.

The Senate proceeded to consider its amendments to the bill (H. R. 200) making appropriations for sundry civil expenses of the govern-

ment for the year ending the 30th of June, 1859, amended and disagreed to by the House of Representatives; and

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the Committee of Conference on the part of the Senate be appointed by the Vice President; and

Mr. Hunter, Mr. Fessenden and Mr. Bigler were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Bayard,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the memorial of Tal. P. Shaffner.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 448) to repeal an act entitled "An act to expedite telegraphic communication for the uses of the government in its foreign intercourse," approved March 3, 1857, reported it without amendment, and submitted an adverse report, (No. 313;) which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom were referred the memorial of the Magnetic and New England Union Telegraph Companies, and the memorial of the American Telegraph Company, submitted a report, (No. 313;) which was ordered to be printed.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (H. R. 55) to regulate fees and costs to be allowed marshals, district attorneys, clerks of courts, jurors, and witnesses in the State of California, and in the Territories of Oregon and Washington, reported it with amendments.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (H. R. 647) to change the time of holding the spring term of the district court of the United States, for the western district of the State of Texas, reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Mallory, from the Committee on Naval Affairs, reported a joint resolution (S. 51) explanatory of an act for the relief of Dr. Charles D. Maxwell, a surgeon in the United States navy; which was read the first and second times, by the unanimous consent, and considered as in Committee of the Whole, and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of Thomas Allen and others.

Mr. Stuart, from the Committee on Public Lands, who were instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 449) authorizing the transfer to State authorities of the books, papers, &c., of discontinued land districts under certain circumstances; which was read and passed to a second reading.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 561) making appropriations for the support of three regiments of volunteers authorized by the act of Congress, approved 7th April, 1858, reported it with amendments.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 557) making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending the 30th of June, 1859.

The bill having been amended, on the motion of Mr. Sebastian, from the Committee on Indian Affairs,

Mr. Sebastian, from the same committee, moved to amend the bill by adding thereto:

For payment of the amount due and unpaid to John Rogers, of Fort Smith, Arkansas, for storage of provisions for the Indians at that place, in 1837, \$1,351.

A question of order was raised by Mr. Hunter, whether the same was in order, under the 30th rule; and

The Vice President decided that it was not in order.

Mr. Sebastian, from the Committee on Indian Affairs, moved to amend the bill by inserting:

For payment to Hon. Willis A. Gorman, for compensation of his services as commissioner to investigate the allegations of fraud against Alexander Ramsey, late governor of Minnesota and superintendent of Indian affairs, under resolution of the Senate and the appointment of the President, and to re-imburse his expenses incurred therein, \$820.

A question of order was raised by Mr. Hunter, whether the amendment was in order, under the 30th rule; and

The Vice President decided that it was not in order.

The bill having been further amended, on the motion of Mr. Hunter, from the Committee on Finance, was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and the bill be read a third time.

The bill was read a third time, as amended.

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the bill of

the Senate (S. 127) to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825.

It has passed a bill (H. R. 319) for the relief of Benjamin Sayre, in which it requests the concurrence of the Senate.

The President of the United States approved and signed, the 8th instant, the following acts:

H. R. 528. An act for the relief of Judith Nott;

H. R. C. C. 85. An act for the relief of Peter Parker;

H. R. 573. An act for the relief of Thomas Hasam and B. S. Brewster;

H. R. 480. An act for the relief of Dr. Ferdinand O. Miller;

H. R. 464. An act for the relief of Cornelius H. Latham;

H. R. 321. An act for the relief of John B. Roper;

H. R. 269. An act for the relief of David Bruce;

H. R. 238. An act for the relief of the heirs of Richard Tarvin;

H. R. 452. An act for the relief of Dr. Thomas Antisell.

Mr. Rice reported from the committee that they had examined and found duly enrolled the bill (S. 127) to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825.

Mr. Davis, from the Committee on Military Affairs and the Militia, to whom was referred the resolution of the Senate of the 15th ultimo, to inquire into certain charges made by citizens of Iowa against the Hon. Henry M. Rice, a senator from Minnesota, reported:

"That, under the authority of the resolution, they procured from the War Department, and elsewhere, papers exhibiting the facts in the case, and had before them twenty-two witnesses, who testified under oath as to the allegations made against Mr. Rice; and, after an examination of all the testimony adduced, they do not find that it sustains any allegation which imputes criminality to, or arraigns the integrity of, Mr. Rice, and finding nothing in the developments of the investigation which, in the opinion of the committee, tend to disqualify him for a seat in the Senate, they herewith submit the record in the case as a part of this report and ask to be discharged from the further consideration of the subject."

The Senate proceeded, by unanimous consent, to consider the report; and

The report was unanimously agreed to.

Ordered, That the report (No. 314) be printed.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending the 30th of June, 1858; and the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Mr. Jones reported from the committee that they had examined and

found duly enrolled the bill (H. R. 647) to change the time of holding the spring term of the district court of the United States for the western district of the State of Texas.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed a bill (H. R. 610) for the relief of William S. Bradford and a joint resolution (H. R. 9) authorizing the Postmaster General to revise and adjust the accounts of Harris & Morgan on principles of justice and equity ; in which it requests the concurrence of the Senate.

It insists on its disagreement to certain amendments of the Senate to the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859, and upon its amendments to certain other amendments of the Senate to the said bill, and agrees to the conference asked by the Senate upon the disagreeing votes of the two Houses thereon, and has appointed Mr. John S. Phelps, Mr. William A. Howard, and Mr. Henry M. Phillips managers at the same on its part.

The House of Representatives concurs in the resolution of the Senate for terminating the present session of Congress by an adjournment on Monday, the 14th of June, at 12 o'clock m.

The Speaker of the House of Representatives having signed two enrolled bills, (S. 127 and H. R. 647,) I am directed to bring them to the Senate for the signature of its President.

The House of Representatives has passed a resolution authorizing the Speaker to cancel his signature to the following enrolled bills :

H. R. 267. An act for the relief of Timothy L. O'Keeffe ;

H. R. 356. An act for the relief of Roswell Minard, father of Theodore Minard, deceased ; and directing that the engrossed bills be returned to the Senate.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the following acts and joint resolution :

S. 226. An act for the relief of Mrs. Harriet O. Read, executrix of the late Brevet Colonel A. C. W. Fanning, of the United States army ;

S. 318. An act for the relief of Keep, Bard and Company, J. Caulfield, and Joseph Landis and Company ;

S. 31. A resolution authorizing the Secretary of War to expend the appropriation made July, 8, 1856, upon such channel of the St. Mary's river as he may select.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Polk, that the Senate reconsider the vote on the indefinite postponement of the bill (H. R. 267) this day returned to the Senate by the House of Representatives for the relief of Timothy L. O'Keeffe.

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill from the House of Representatives (H. R. 319) was read

the first and second times, by unanimous consent, and referred to the Committee on Claims.

The joint resolution from the House of Representatives (H. R. 9) was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

The bill from the House of Representatives (H. R. 610) was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

The Vice President signed the enrolled bills numbered S. 127, H. R. 647, and they were delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859.

The following reported amendment being under consideration :
Strike out lines 7, 8, 9, 10, 11, 12, 13, and insert the following :

For transportation of the mails from New York to Liverpool, and back, in pursuance of the contract of E. K. Collins and others, three hundred and forty-six thousand five hundred dollars. And it is hereby provided, That, for such days as the said Collins and others shall fail to perform said service, the Postmaster General is authorized to contract with the owner or owners of any other steam vessel or vessels to perform said service, by transporting the mails from such port in the United States to such port in Great Britain as he may select, and pay therefor a sum equal to the amount of ocean and inland postages received by the United States. And the Postmaster General may, with the consent of the contractors, change the European termination of said route, under the contract aforesaid, from Liverpool to Southampton.

A motion was made by Mr. Hunter to amend the amendment by adding thereto :

Provided, That said contractors shall, in case of such change receive for such transportation, instead of the contract price, the amount of ocean and inland postages received by the United States.

On the question to agree to the amendment proposed by Mr. Hunter,

It was determined in the negative, { Yeas..... 11
Nays 26

On motion by Mr. Clingman,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Clay, Clingman, Hammond, Houston, Hunter, Johnson, of Tennessee, Mallory, Mason, Polk, Reid, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Bigler, Bright, Broderick, Chandler, Collamer, Crittenden, Davis, Dixon, Doolittle, Foster, Gwin, Hale, Hayne, Jones, Kennedy, King, Pearce, Seward, Simmons, Stuart, Trumbull, Wade, Wilson, Wright.

On the question to agree to the said reported amendment,

It was determined in the affirmative, { Yeas..... 28
Nays 13

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Bigler, Bright, Broderick, Chandler, Collamer, Crittenden, Dixon, Doolittle, Fessenden, Fitch, Foster, Gwin, Hale, Hammond, Johnson, of Tennessee, Jones, King, Pearce, Seward, Simmons, Stuart, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Clay, Clingman, Davis, Douglas, Houston, Hunter, Johnson, of Arkansas, Kennedy, Mallory, Mason, Polk, Reid, Sebastian.

On the question to agree to the second reported amendment, viz: Strike out the words "two hundred and thirty thousand dollars," and insert, in lieu thereof, the words, *the amount of postages, ocean and inland, received by the United States in the mails, in and out, by the vessels employed in such service,*

It was determined in the affirmative, { Yeas..... 22
Nays 19

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Clark, Clay, Clingman, Fessenden, Fitch, Gwin, Hammond, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mallory, Pearce, Reid, Sebastian, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Bigler, Bright, Broderick, Chandler, Collamer, Crittenden, Davis, Dixon, Doolittle, Foster, Hale, Kennedy, Mason, Seward, Stuart, Thompson, of Kentucky, Wright.

On motion by Mr. Wilson, to reconsider the vote agreeing to the following reported amendment: Strike out the following words: "Two hundred and thirty thousand dollars," and in lieu thereof insert:

The amount of postages, ocean and inland, received by the United States in the mails, in and out, by the vessels employed in such service,

It was determined in the affirmative, { Yeas..... 20
Nays..... 19

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Bright, Broderick, Cameron, Chandler, Clark, Collamer, Davis, Dixon, Doolittle, Foster, Hale, Kennedy, Mason, Seward, Stuart, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Brown, Clay, Clingman, Fessenden, Fitch, Fitzpatrick, Hamlin, Hammond, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Jones, King, Mallory, Reid, Thompson, of Kentucky, Toombs, Yulee.

So the vote agreeing to the second reported amendment was reconsidered.

On the question to agree to the said amendment, viz: Strike out "two hundred and thirty thousand dollars," and insert:

The amount of postages, ocean and inland, received by the United

States in the mails, in and out, by the vessels employed in such service,

It was determined in the negative, { Yeas..... 18
Nays..... 19

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Brown, Clay, Clingman, Douglas, Fessenden, Hamlin, Hammond, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Reid, Sebastian, Thompson, of Kentucky, Toombs, Wade, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell, Broderick, Cameron, Chandler, Clark, Collamer, Davis, Doolittle, Foster, Gwin, Hale, Jones, Kennedy, Mason, Seward, Stuart, Wilson, Wright.

On motion by Mr. Toombs, that the Senate adjourn,

It was determined in the negative, { Yeas..... 16
Nays..... 24

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bigler, Broderick, Clay, Clingman, Davis, Douglas, Green, Hammond, Houston, Johnson, of Tennessee, Kennedy, Mallory, Mason, Pugh, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bright, Brown, Cameron, Chandler, Clark, Doolittle, Fessenden, Foster, Gwin, Hale, Hamlin, Hunter, Johnson, of Arkansas, Jones, Polk, Reid, Sebastian, Seward, Stuart, Thompson, of Kentucky, Wade, Wilson, Wright.

On the question to agree to the following reported amendment:
Strike out the following words: "For contingencies of the mail service between New York and Europe, one hundred and twenty thousand dollars,"

It was determined in the affirmative, { Yeas..... 30
Nays..... 9

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Bigler, Bright, Broderick, Brown, Cameron, Clark, Clay, Clingman, Fessenden, Foster, Hale, Hamlin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Mallory, Reid, Sebastian, Stuart, Thompson, of Kentucky, Toombs, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Allen, Davis, Doolittle, Douglas, Jones, Mason, Pugh, Seward, Wright.

On motion by Mr. Clingman, to amend the bill by inserting the following:

And be it further enacted, That from and after the thirtieth day of June, one thousand eight hundred and sixty, a discriminating rate of postage of one hundred per centum additional may, in the discretion of

the Postmaster General, be exacted upon all letters and other mail matter, conveyed from foreign countries to the United States, by vessels sailing under foreign flags, which shall receive a governmental bonus as mail carriers.

SEC. —. *And be it further enacted, That the Postmaster General be, and he is hereby, required to abrogate any existing postal convention with a foreign government, the stipulations of which are calculated to prevent the execution of the preceding provisions.*

It was determined in the negative, { Yeas..... 11
Nays 31

On motion by Mr. Clingman,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bright Brown, Clingman, Fitzpatrick, Green, Houston, Polk, Pugh, Reid, Slidell, Toombs.

Those who voted in the negative are,

Messrs. Bayard, Bell, Benjamin, Bigler, Broderick, Chandler, Collamer, Dixon, Doolittle, Fessenden, Fitch, Foot, Foster, Gwin, Hamlin, Harlan, Hunter, Iverson, Johnson, of Tennessee, Kennedy, King, Pearce, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

No further amendment being made, the bill was reported to the Senate.

On the question to concur in the first amendment made, as in Committee of the Whole,

On motion by Mr. Toombs, to amend the amendment, by striking out in lines 17, 18, 19, and 20, the words “and the Postmaster General may, with the consent of the contractors, change the European termination of said route, under the contract aforesaid, from Liverpool to Southampton,”

It was determined in the negative, { Yeas..... 19
Nays 27

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bigler, Clingman, Douglas, Fitch, Green, Hammond, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Toombs.

Those who voted in the negative are,

Messrs. Benjamin, Bright, Broderick, Cameron, Chandler, Collamer, Dixon, Doolittle, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Iverson, Kennedy, King, Pearce, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

The amendment having been amended, on the motion of Mr. Toombs,

On the question, to concur in the amendment amended to read as follows: Strike out the lines 7, 8, 9, 10, 11, 12, 13, and in lieu thereof insert:

For transportation of the mails from New York to Liverpool, and back, in pursuance of the contract with E. K. Collins and others, three hundred and forty-six thousand five hundred dollars. And it is hereby provided, that, for such days as the said Collins and others shall fail

to perform said service, the Postmaster General is authorized to contract with the owner or owners of any other steam vessel or vessels to perform said service by transporting the mails from such port in the United States to such port in Great Britain as he may select, and that the cost thereof be deducted from any amount which may be due, or become due, to E. K. Collins & Company for services actually performed; and the Postmaster General may, with the consent of the contractors, change the European termination of said route, under the contract aforesaid, from Liverpool to Southampton.

It was determined in the affirmative, { Yeas..... 26
Nays 22

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Benjamin, Bright, Broderick, Cameron, Chandler, Dixon, Doolittle, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Iverson, Johnson, of Tennessee, Kennedy, King, Pearce, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Bigler, Brown, Clingman, Collamer, Douglas, Fitch, Green, Hammond, Harlan, Houston, Hunter, Johnson, of Arkansas, Mallory, Mason, Polk, Pugh, Reid, Slidell, Toombs, Trumbull, Wade.

The residue of the amendments made, as in Committee of the Whole, were then concurred in.

On motion by Mr. King further to amend the bill by inserting,

SEC. —. *And be it further enacted, That it shall not be lawful for the Postmaster General to make any steamship or other contract for carrying the mails on the sea for a longer period than five years,*

It was determined in the affirmative.

On the question, Shall the amendments be engrossed, and the bill read a third time,

It was determined in the affirmative.

The said bill was read a third time as amended.

On the question, Shall the bill pass with amendments?

It was determined in the affirmative, { Yeas..... 23
Nays 21

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Broderick, Dixon, Douglas, Fessenden, Fitch, Foot, Foster, Gwin, Hale, Iverson, Kennedy, Pearce, Sebastian, Seward, Simmons, Stuart, Thomson, of New Jersey, Wright, Yulee.

Those who voted in the negative are,

Messrs. Cameron, Clingman, Green, Hamlin, Hammond, Harlan, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Mallory, Mason, Polk, Pugh, Reid, Slidell, Toombs, Trumbull, Wade Wilson.

So it was,

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the 4th, 6th, 7th, 8th, 9th, 11th, 12th, and 13th amendments of the Senate to the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th June, 1859; it agrees to the 14th amendment of the Senate, with an amendment in which it requests the concurrence of the Senate, and it disagrees to the 1st, 2d, 3d, 5th, and 10th amendments of the Senate to the said bill.

The Senate resumed the consideration of the bill (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1858, and having been amended, and a further amendment being proposed by Mr. Houston,

On motion by Mr. Houston, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 21
Nays 15

On motion by Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Bigler, Broderick, Brown, Douglas, Harlan, Houston, Johnson, of Tennessee, King, Mason, Polk, Reid, Rice, Seward, Simmons, Slidell, Stuart, Trumbull, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Bright, Dixon, Fitch, Foot, Green, Gwin, Hamlin, Hammond, Hunter, Johnson, of Arkansas, Pugh, Sebastian, Thomson, of New Jersey, Toombs.

Whereupon the Senate adjourned.

THURSDAY, JUNE 10, 1858.

Mr. Mallory presented three memorials of citizens of Tampa, Florida, praying that the military reservation and garrison grounds of Fort Brooke be granted to that city, for the purpose of establishing a seminary of learning; which were referred to the Committee on Public Lands.

Mr. Hammond asked and, by unanimous consent, obtained leave to bring in a joint resolution (S. 52) for the relief of William Hazzard Wigg; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole, and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of John H. Merrill, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Claims be discharged from the further consideration of the petition of John H. Merrill, and that the same, with the papers accompanying it, be referred to the Court of Claims, that the same may be investigated, and the testimony in support of it may be stated.

Mr. Mallory, from the Committee on Claims, to whom was referred the memorial of Riggs & Company, submitted an adverse report, (No. 315;) which was ordered to be printed.

Mr. Mallory, from the Committee on Claims, to whom was referred the petition of Charlotte Taylor, only surviving child of William Scarbrough, submitted an adverse report, (No. 316;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of George T. Parry, submitted an adverse report, (No. 317;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of Reynell Coates, submitted an adverse report, (No. 318;) which was ordered to be printed.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the memorial of Hiram McCullough, submitted a report, (No. 321,) accompanied by a bill (S. 450) for the relief of Samuel A. West, George McCullough, Hiram McCullough, and Charles Pendergrast.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Yulee, from the Committee on Post Offices and Post Roads, reported a bill (S. 451) to suppress the unlawful collection and delivery of letters, and for other purposes; which was read and passed to a second reading.

Mr. Bigler, from the Committee on Post Offices and Post Roads, to whom was referred the bill (S. 401) to facilitate communication between the Atlantic and Pacific States by electric telegraph, reported it without amendment, and that it ought not to pass.

Mr. Bigler, from the Committee on Post Offices and Post Roads, to whom was referred the bill (S. 281) to secure a prompt construction of a line of telegraph from San Francisco to Fort Smith, and from thence to St. Louis and to Memphis, reported it without amendment, and that it ought not to pass.

Mr. Iverson, from the Committee on Claims, to whom were referred papers relating to the claim of James A. Mott, submitted an adverse report, (No. 319;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of Charles Kohler, submitted an adverse report, (No. 320;) which was ordered to be printed.

Mr. Iverson, from the Committee on Claims, to whom was referred the bill (S. 420) for the relief of James Collier, reported it without amendment, and submitted a report, (No. 322;) which was ordered to be printed.

On motion by Mr. Iverson,

Ordered, That the petition and papers of John Forrester be withdrawn from the Court of Claims and referred to the Committee on Pensions.

Mr. Clingman submitted the following resolution; which was considered, by unanimous consent, and agreed to.

Resolved, That the Postmaster General be, and he is hereby, directed to endeavor to ascertain and communicate to the Senate, at the commencement of the next session of Congress, the amount of stock which is, or has been, held by foreigners in ocean mail steamers, covered by the flag of the United States, running between New York and Liverpool, New York and Havre, and New York and Bremen, and to designate the amount owned, or which has been owned in either case, in any foreign country.

Mr. Iverson, from the Committee on Claims, to whom was referred the petition of John R. Nourse, submitted a report, (No. 323,) accompanied by a bill (S. 452) for the relief of John R. Nourse.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 263) granting the right of way over, and depot grounds on, the military reserve at Fort Gratiot, in the State of Michigan, for railroad purposes; and, the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Kennedy,

Ordered, That the memorial of J. P. Milton, on the files of the Senate, be referred to the Committee on Naval Affairs.

The Vice President presented the memorial of Henry L. Goodwin, praying that the report of the Postmaster General, in answer to a resolution of the Senate of the 13th of May last, relative to certain violations of law by the postmaster at San Francisco, may not be published; which was referred to the Committee on Post Offices and Post Roads.

Mr. Jones, from the Committee on Pensions, to whom was referred the bill (H. R. 610) for the relief of William S. Bradford, reported it without amendment.

Mr. Broderick submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Postmaster General be requested to transmit to the Senate the evidence of alleged violations of law and malfeasance in office on the part of the postmaster of San Francisco, and also the papers accompanying the same, filed in the Post Office Department on or about April 20, 1857. Also, all correspondence with J. D. Fry, the special agent of the Post Office Department, in regard to any alleged malfeasance on the part of said postmaster, and especially a copy of a

letter addressed to said Fry, October 3, 1855, and the reply to the the same; and also the report made by the said Fry. Also, letters in relation to the same matter from — Van Bokkelin, esq., in 1856, and Messrs. More & Folger in 1857, and copies of all correspondence connected therewith. Also, letters from H. L. Goodwin, in 1855, and four letters from the same person dated March 27, June 25, July 18, July 25, 1857. Also, letters of C. L. Weller, dated 1st September, 1855, March 21, 1856, and October 10 and 20, 1857; and that the Postmaster General inform the Senate whether there is any information on the files of the Post Office Department showing or charging that the investigation, ordered to be made by J. D. Fry, was an *ex parte* investigation.

Resolved further, That the publication of the answer of the Postmaster General to the resolution of the Senate of May 13 be suspended until the before-described papers and information are obtained.

On motion by Mr. Johnson, of Arkansas,

Ordered, That the report of the Postmaster General in answer to a resolution of the Senate in relation to the post office at San Francisco, be referred to the Committee on Post Offices and Post Roads.

Mr. Trumbull submitted the following resolution for consideration:

Resolved, That the Postmaster General be directed to inform the Senate by what authority the books referred to in his answer to the Senate's resolution of the 27th ultimo, "relative to the lists of post offices, regulations, &c," "prepared and published on private account" and not recognized by the department as official, have been purchased by the Post Office Department and distributed to its agents and postmasters; the amount paid for said publications and out of what fund; also, that he communicate to the Senate a printed copy of "the last official edition" of the regulations of the department, "together with a copy of such official regulations as have since been adopted and furnished by means of printed circulars, and which are now in use for the guide and government of postmasters in the discharge of their duties."

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 399) for the relief of certain purchasers of lands within the limits of the Choctaw cession of 1830, and a joint resolution (H. R. 37) in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California, in which it asks the concurrence of the Senate.

The bill (S. 120) for the relief of David Myerle was read the second time and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas..... 37
Nays 19

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Brown, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hale, Harlan, Houston, Iverson, Johnson, of Arkansas, Jones, Kennedy, Mallory, Polk, Rice, Sebastian, Seward, Simmons, Thompson, of Kentucky, Thomson, of New Jersey, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Bright, Broderick, Clay, Clingman, Davis, Fitzpatrick, Hamlin, Hayne, Hunter, Johnson, of Tennessee, King, Mason, Pearce, Pugh, Reid, Slidell, Toombs, Wright.

So it was

Resolved, That the bill pass, and that the title thereof be as aforesaid

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Bright,

The Senate proceeded to consider the resolution reported by the Committee on the Judiciary, declaring the Hon. Jesse D. Bright and the Hon. Graham N. Fitch, senators from the State of Indiana, entitled to their seats in the Senate; and

On motion by Mr. Bright,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, to-morrow at 12 o'clock.

On motion by Mr. Chandler,

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 610) for the relief of William S. Bradford; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the resolution to allow compensation to B. L. Bogan, for the services of his son in the Senate document room; and

The resolution was agreed to.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859.

On motion by Mr. Yulee, from the Committee on Post Offices and Post Roads, to amend the bill by inserting:

SEC. —. And be it further enacted, That there shall be appointed by the President, with the consent of the Senate, a Fourth Assistant Postmaster General, who shall receive the same compensation which is paid to each of the other Assistant Postmasters General; and the said Fourth Assistant Postmaster General is hereby authorized to send and receive letters, packages, and other matters on official business, through the mails free of postage, subject to the same restrictions and penalties as the other Assistant Postmasters General; and that the sum of three thousand dol-

lars is hereby appropriated for the salary of said officer for the fiscal year ending June thirtieth, eighteen hundred and fifty nine.

It was determined in the affirmative, { Yeas. 31
Nays 14

On motion by Mr. Cameron,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Collamer, Crittenden, Doolittle, Fessenden, Fitch, Fitzpatrick, Foot, Gwin, Hammond, Harlan, Hayne, Houston, Iverson, Johnson, of Arkansas, Jones, Mason, Reid, Sebastian, Seward, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wilson, Wright Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Cameron, Chandler, Clay, Davis, Dixon, Foster, Hamlin, Hunter, Johnson, of Tennessee, Kennedy, King, Pearce.

On motion by Mr. Yulee, to amend the bill by inserting :

And be it further enacted, That the Postmaster General may allow two dollars per diem, in addition to what is now authorized by law, to the special agents of the department for New York and the New England States.

It was determined in the negative, { Yeas..... 13
Nays 25

On motion by Mr. Bayard,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Collamer, Dixon, Fessenden, Fitch, Foot, Foster, Gwin, Harlan, Johnson, of Arkansas, Seward, Simmons, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Broderick, Brown, Clark, Clay, Clingman, Davis, Durkee, Green, Houston, Hunter, Jones, King, Mason, Reid, Rice, Stuart, Thompson, of Kentucky, Toombs, Trumbull, Wade, Wilson, Wright.

On motion by Mr. King, to amend the bill by inserting :

SEC. —. *And be it further enacted, That if any postmaster or other person employed in any post office for the purpose of delivering letters, papers, and mail matter, shall wilfully and unlawfully detain, delay, secrete, or refuse to deliver, on demand, at such post office, in the usual office hours, any letter or other article of mail matter, which may have come to such post office, to the person to whom the same is addressed, or to whose care it is directed, or to his or her known and authorized agent, such postmaster, or other person so employed and so offending in any post office shall, on conviction, forfeit and pay, for each offence, one hundred dollars, to be sued for and disposed of in the manner provided in the case of pecuniary penalties in the "Act to reduce into one the several acts establishing and regulating the Post Office Department," approved March 3, 1825.*

It was determined in the negative, { Yeas..... 22
Nays 25

On motion by Mr. King,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Clingman, Collamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, Houston, Johnson, of Tennessee, King, Seward, Thompson, of Kentucky, Toombs, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bright, Clay, Davis, Fitzpatrick, Green, Gwin, Hammond, Hayne, Hunter, Johnson, of Arkansas, Jones, Mallory, Mason, Pearce, Pugh, Reid, Rice, Sebastian, Slidell, Stuart, Wright, Yulee.

No further amendment being made, the bill was reported to the Senate, and the amendments were concurred in.

On motion by Mr. Broderick, to amend the bill by inserting :

And be it further enacted, That not more than \$2,500 per annum shall be paid to any special agent of the Post Office Department as compensation for his services.

On motion by Mr. Seward, to amend the same by adding thereto :

But this act shall not be construed so as to raise the rates of compensation of such agents in any case.

It was determined in the affirmative.

The amendment, as amended, was then agreed to.

On motion by Mr. Collamer, to amend the bill by inserting :

That post offices, shall be open for the receipt and delivery of letters, papers, and mail matter, for all persons at the same time, and no practice or arrangement shall be allowed by which any person or persons, for any consideration, can obtain their letters or papers earlier or later at said office than all or any others may receive their letters or papers on applying therefor, nor shall any practice or arrangement exist whereby any person or persons can mail their letters or papers earlier or later than all or any other persons may mail their letters or papers on offering so to do.

It was determined in the affirmative.

On motion by Mr. Pugh, to amend the bill by inserting :

And be it further enacted, That so much of the 18th section of an act entitled "An act to reduce the rates of postage, to limit the use and to correct the abuse of the franking privilege, and for the prevention of frauds in the revenues of the Post Office Department," approved March 3, 1845, as requires the advertisement of letters uncalled for in any post office to be inserted in the newspaper or newspapers having the largest circulation in the town or place where the office advertising is situated, be, and the same is hereby, repealed ; and the Postmaster General shall henceforth designate the newspaper or newspapers at each town or place where a post office is situated, in which such advertisements shall henceforth be made.

On motion by Mr. Wilson, to amend the same by striking out from the word "designate," inclusive, to the end of the amendment, and inserting :

Cause the same to be published in such newspaper as will publish it at the lowest price, and that the compensation to be paid for the said advertisements shall not be greater than that now allowed by law.

It was determined in the affirmative, { Yeas..... 22
Nays 20

On motion of Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Clay, Doolittle, Durkee, Fessenden, Foot, Foster, Hale, Harlan, Houston, Johnson, of Arkansas, Johnson, of Tennessee, King, Seward, Simmons, Thompson, of Kentucky, Toombs, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clingman, Fitch, Gwin, Hunter, Jones, Mason, Pearce, Polk, Pugh, Reid, Sebastian, Slidell, Wright, Yulee.

On the question to agree to the amendment of Mr. Pugh, amended as follows :

And be it further enacted, That so much of the eighteenth section of an act, entitled "An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds in the revenues of the Post Office Department," approved March 3, 1845, as requires the advertisement of letters uncalled for in any post office to be inserted in the newspaper or newspapers having the largest circulation in the town or place where the office advertising is situated, be, and the same is hereby, repealed; and the Postmaster General shall henceforth cause the same to be published in such newspaper as will publish it, at the lowest price, and that the compensation to be paid for the said advertisements shall not be greater than that now allowed by law.

It was determined in the affirmative, { Yeas..... 23
Nays 15

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the negative are,

Messrs. Bell, Bright, Broderick, Chandler, Clark, Clay, Doolittle, Durkee, Fessenden, Foot, Foster, Harlan, Houston, Johnson, of Tennessee, King, Polk, Pugh, Seward, Simmons, Thompson, of Kentucky, Toombs, Wade, Wilson.

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Brown, Clingman, Fitch, Hale, Hunter, Jones, Pearce, Reid, Trumbull, Wright, Yulee.

On motion by Mr. Bayard, to reconsider the vote on the amendment proposed by Mr. Collamer in relation to the arrangements or practices at post offices, respecting the receiving or delivery of letters,

It was determined in the affirmative, { Yeas..... 25
Nays 15

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Clay, Clingman, Davis, Fessenden, Gwin, Harlan, Hunter, Johnson, of Arkansas, Jones, Mallory, Pearce, Polk, Pugh, Reid, Sebastian, Slidell, Thomson, of New Jersey, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Clark, Collamer, Doolittle, Foot, Foster, Hamlin, Houston, King, Seward, Simmons, Trumbull, Wilson.

The amendment of Mr. Collamer being under consideration,

A motion was made by Mr. Fessenden, to amend the same by adding:
Provided, That nothing herein contained shall prevent the use of locked boxes, as have been heretofore authorized; and

It was determined in the affirmative.

The said amendment of Mr. Collamer, as amended, was then agreed to.

On motion by Mr. Trumbull, to amend the bill by inserting:

SEC. —. *And be it further enacted, That not more than two dollars per annum be charged for the rent of a box, lock box, or drawer at a post office,*

It was determined in the negative, { Yeas 14
Nays 25

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Bell, Broderick, Doolittle, Foot, Foster, Hamlin, Harlan, Houston, King, Pugh, Seward, Simmons, Trumbull, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Benjamin, Bigler, Bright, Brown, Clark, Clay, Clingman, Davis, Douglas, Fessenden, Fitch, Gwin, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Polk, Reid, Rice, Sebastian, Stuart, Thomson, of New Jersey, Wright, Yulee.

On motion by Mr. Johnson, of Arkansas, to amend the bill by adding thereto the following:

SEC. —. *And be it further enacted, That after the thirtieth of June, eighteen hundred and fifty-eight, the rate of postage on all letters sent through the mail shall be five cents for any distance under three thousand miles, and ten cents for any distance over three thousand miles,*

It was determined in the affirmative, { Yeas 19
Nays 15

On motion by Mr. Johnson, of Tennessee,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Benjamin, Bright, Broderick, Brown, Clay, Clingman, Davis, Fitch, Gwin, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Pearce, Polk, Reid, Sebastian, Thomson, of New Jersey, Yulee.

Those who voted in the negative are,

Messrs. Bigler, Chandler, Clark, Doolittle, Douglas, Fessenden, Foster, Hamlin, King, Pugh, Rice, Seward, Stuart, Wilson, Wright.

On motion by Mr. Pugh, to amend the bill, by adding thereto the following:

SEC. —. *And be it further enacted, That the franking privilege now accorded to members of Congress be, and the same is hereby, abolished, from and after the fourth day of March next.*

On motion by Mr. Foster, to amend the amendment, by inserting, before the words "members of Congress," *the President of the United States, the heads of departments:* and after the word "Congress:" insert *and any other persons,*

It was determined in the negative, { Yeas..... 19
Nays 20

On motion by Mr. Broderick,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Bell, Broderick, Brown, Chandler, Clark, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Houston, Johnson, of Tennessee, King, Rice, Seward, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Clay, Clingman, Collamer, Davis, Fitch, Green, Gwin, Hunter, Johnson, of Arkansas, Polk, Pugh, Reid, Sebastian, Stuart, Thomson, of New Jersey, Wright, Yulee.

On the question to agree to the amendment of Mr. Pugh, as follows, viz :

SEC. —. *And be it further enacted, That the franking privilege now accorded to members of Congress be, and the same is hereby, abolished, from and after the fourth day of March next.*

It was determined in the affirmative, { Yeas..... 38
Nays..... 4

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Bright, Broderick, Brown, Chandler, Clark, Clay, Collamer, Davis, Doolittle, Douglas, Fessenden, Fitch, Foot, Foster, Green, Hale, Hamlin, Harlan, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, King, Mallory, Polk, Pugh, Rice, Sebastian, Seward, Stuart, Thomson, of New Jersey, Toombs, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Clingman, Houston, Reid.

On motion by Mr. Seward, to amend the bill by adding thereto the following :

SEC. —. *And be it further enacted, That from and after the 4th day of March next all matter passing through the mail shall be prepaid, excepting newspapers and foreign matter.*

It was determined in the affirmative, { Yeas..... 23
Nays 20

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Brown, Chandler, Clark, Doolittle, Douglas, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson of Tennessee, King, Pugh, Rice, Seward, Stuart, Thomson of New Jersey, Toombs, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Clay, Clingman, Collamer, Davis, Fitch, Green, Gwin, Hunter, Iverson, Johnson of Arkansas, Mallory, Polk, Reid, Wright, Yulee.

On motion by Mr. Seward, that the Senate reconsider the vote on the last amendment,

It was determined in the affirmative.

The said amendment being under consideration:

On motion by Mr. Seward, to amend the same by adding thereto after the word "newspapers," the words *and periodical publications to regular subscribers*,

It was determined in the affirmative.

On the question to agree to the amendment as amended,

It was determined in the negative, { Yeas 18
Nays 28

On motion by Mr. Green,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Pearce, Seward, Stuart, Toombs, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Collamer, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Johnson, of Arkansas, Mallory, Mason, Polk, Pugh, Reid, Thomson, of New Jersey, Wilson, Wright, Yulee.

On motion by Mr. Hamlin, to amend the bill by adding thereto the following:

SEC. —. *And be it further enacted, That from and after the 4th day of March next all laws which confer the right of franking letters or other matter on any person or officer be, and the same are hereby, repealed.*

It was determined in the negative, { Yeas 20
Nays 26

On motion by Mr. Hamlin,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Hammond, Harlan, Johnson, of Tennessee, King, Pearce, Seward, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Collamer, Davis, Fitch, Fitzpatrick, Green, Gwin, Houston, Hunter, Iverson, Johnson, of Arkansas, Mallory, Mason, Polk, Pugh, Reid, Thomson, of New Jersey, Wright, Yulee.

On motion by Mr. Wilson, to amend the bill by adding thereto the following:

SEC. —. *And be it further enacted, That the printing of post bills, blanks, printing drafts and warrants, postage stamps, stamped envelopes, and printing parchments for the use of the Post Office and other executive departments shall hereafter be given to the lowest responsible bidder, after due public notice,*

It was determined in the affirmative, { Yeas 34
Nays 8

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bright, Broderick, Chandler, Clark, Clay,

Dixon, Doolittle, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Green, Hale, Hamlin, Hammond, Harlan, Hayne, Houston, Johnson, of Tennessee, King, Polk, Pugh, Rice, Seward, Slidell, Stuart, Toombs, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,
Messrs. Bayard, Bigler, Brown, Clingman, Johnson, of Arkansas, Mallory, Mason, Reid.

On motion by Mr. Slidell, that the Senate reconsider the vote agreeing to the last mentioned amendment,

It was determined in the affirmative.

The amendment proposed by Mr. Wilson being under consideration,
On motion by Mr. Slidell, to amend the same by inserting after the word "parchments" the words *and all other printing, excepting advertisements*,

It was determined in the negative.

The amendment proposed by Mr. Wilson was then agreed to.

No further amendment being made,

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

On the question, Shall the bill pass?

It was determined in the affirmative, { Yeas..... 30
Nays..... 14

On motion by Mr. Collamer,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs Allen, Benjamin, Bigler, Bright, Broderick, Clay, Clingman, Douglas, Fitch, Fitzpatrick, Green, Gwin, Hammond, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Mallory, Mason, Pugh, Reid, Sebastian, Slidell, Stuart, Thomson, of New Jersey, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Brown, Collamer, Dixon, Fessenden, Foot, Foster, Hale, Hamlin, Kennedy, King, Trumbull, Wade, Wilson.

So it was

Resolved, That the said bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 610) for the relief of William S. Bradford.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to some and disagrees to other amendments of the Senate to the bill (H. R. 557) making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859; and it agrees to the thirtieth amendment of the Senate to the said bill, with an amendment; in which it requests the concurrence of the Senate; and

The House of Representatives agrees to some and disagrees to other amendments of the Senate to the bill (H. R. 243) making appropriations for the support of the army for the year ending the 30th of June, 1859; and it agrees to the forty-first amendment of the Senate to the said bill, with an amendment; in which it requests the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 610,) I am directed to bring it to the Senate for the signature of its President.

The President of the United States approved and signed, the 9th instant, the following acts:

H. R. 523. An act for the relief of Wyatt Griffith;

H. R. 515. An act granting an invalid pension to Alexander S. Bean, of Pennsylvania;

H. R. 462. An act granting an invalid pension to James Fugate, of Missouri;

H. R. 514. An act granting an invalid pension to Conrad Schroeder;

H. R. 530. An act for the relief of Stephen Fellows;

H. R. 257. An act to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes;

H. R. 246. An act for the relief of certain settlers on the public lands in the State of Wisconsin;

H. R. 512. An act for the relief of Elijah Close, of Tennessee;

H. R. 516. An act for the relief of Michael A. Davenport, of Illinois;

H. R. 569. An act for the relief of Gardner and Vincent and others;

The bill from the House of Representatives (H. R. 399) for the relief of certain purchasers of lands within the limits of the Choctaw cession of 1830 was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time, by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The joint resolution (H. R. 37) in regard to carrying the United States mails from St. Joseph, Missouri, to Placerville, California, was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 565) to confirm the land claims of certain pueblos and towns in New Mexico, reported it with amendments.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and the reported amendments having been agreed to, the bill was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Vice President signed the enrolled bill (H. R. 610) entitled "An act for the relief of William S. Bradford," and it was delivered to the committee to be presented to the President of the United States.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate and House of Representatives:

I transmit a copy of a despatch from Governor Cumming to the Secretary of State, dated at Great Salt Lake City, on the 2d of May, and received at the Department of State on yesterday. From this, there is reason to believe that our difficulties with the Territory of Utah have terminated, and the reign of the Constitution and the laws has been restored. I congratulate you on this auspicious event.

I lose no time in communicating this information, and in expressing the opinion that there will now be no occasion to make any appropriation for the purpose of calling into service the two regiments of volunteers authorized by the act of Congress approved on the 7th of April last, for the purpose of quelling disturbances in the Territory of Utah, for the protection of supply and emigrant trains, and the suppression of Indian hostilities on the frontier.

I am the more gratified at this satisfactory intelligence from Utah because it will afford some relief to the treasury at a time demanding from us the strictest economy, and when the question which now arises upon every new appropriation is whether it be of a character so important and urgent as to brook no delay, and to justify and require a loan and, most probably, a tax upon the people to raise the money necessary for its payment.

In regard to the regiment of volunteers authorized by the same act of Congress to be called into service for the defence of the frontiers of Texas against Indian hostilities, I desire to leave this question to Congress, observing, at the same time, that, in my opinion, the State can be defended for the present by the regular troops, which have not yet been withdrawn from its limits.

JAMES BUCHANAN.

WASHINGTON, *June* 10, 1858.

The message was read.

On motion by Mr. Hunter,

Ordered, That it be printed.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the 2d amendment and disagrees to the 1st, 3d, 4th, and 5th amendments of the Senate to the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs.

On motion by Mr. Wilson to amend the bill by striking out the first and second sections of the bill after the enacting clause, to wit:

"That, instead of the appropriation for the expenses of collecting the revenue from customs for the half year, from the first day of January, eighteen hundred and fifty-eight, to the first day of July, eighteen hundred and fifty-eight, contained in the joint resolution approved on the fourteenth day of February, eighteen hundred and fifty, there be, and hereby is, appropriated for the expenses of collecting the revenue from customs for said half year the sum of one million six hundred thousand dollars, payable out of any moneys in the treasury not otherwise appropriated, together with such sums as may be received from storage, cartage, drayage, and labor for said half year.

"SEC. 2. *And be it further enacted*, That there be, and hereby is, annually appropriated for the expenses of collecting the revenue from customs for each and every fiscal year, from the first day of July, eighteen hundred and fifty-eight, the sum of four millions of dollars, payable out of any moneys in the treasury not otherwise appropriated, until otherwise ordered by law, together with such sums as may be received from storage, cartage, drayage, and labor for each fiscal year: *Provided*, That from and after the said first day of July, eighteen hundred and fifty-eight, all laws and parts of laws which authorize the payment of the expenses, or any portion of the expenses, of collecting the revenue from customs to any port or ports on the Pacific coast of the United States out of the accruing revenue, before the same is paid into the treasury, shall be, and hereby are, repealed." And in lieu thereof inserting:

That there be, and hereby is, appropriated for the expenses of collecting the revenue from customs for each half year, the sum of one million five hundred thousand dollars, payable out of any moneys in the treasury not otherwise appropriated, together with such sums as may be received from storage, cartage, and labor for said half year.

SEC. 2. *And be it further enacted*, That from and after the said first day of July, eighteen hundred and fifty-eight, all laws and parts of laws which authorize the payment of the expenses, or any portion of the expenses, of collecting the revenue from customs to any port or ports on the Pacific coast of the United States out of the accruing revenue, before the same is paid into the treasury, shall be, and hereby are, repealed.

It was determined in the affirmative, { Yeas..... 28
Nays 7

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Collamer, Crittenden, Dixon, Doolittle, Fessenden, Fitch, Foster, Green, Hale, Harlan, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Rice, Sebastian, Seward, Simmons, Stuart, Toombs, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bayard, Bright, Hammond, Hunter, Slidell, Wright.

The bill, having been further amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and the bill read a third time.

The said bill as amended was read the third time.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. King, from the Committee on Pensions, to whom was referred the bill (H. R. 619) for the relief of John Sawyer, a soldier of the war of the revolution, reported it without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 619) for the relief of John Sawyer, a soldier of the war of the revolution; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 538) for the relief of settlers on certain lands in the State of Illinois; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 278) concerning the courts of the United States in the district of Arkansas, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Houston that the senate adjourn,

It was determined in the negative,	Yeas.....	15
	Nays	20

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Brown, Crittenden, Foster, Hale, Harlan, Houston, Iverson, Johnson, of Tennessee, King, Seward, Simmons, Stuart, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bayard, Benjamin, Bright, Doolittle, Fessenden, Fitch, Green, Gwin, Hammond, Hunter, Johnson, of Arkansas, Kennedy, Pugh, Reid, Rice, Sebastian, Toombs, Wright, Yulee.

The Senate resumed the consideration of the bill (H. R. 555) to supply deficiencies in the appropriations for the current and contin-

gent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending the 30th of June, 1858; and,

An amendment being proposed by Mr. Houston,

On motion by Mr. Green,

The Senate adjourned.

FRIDAY, JUNE 11, 1858.

Mr. Stuart submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, the House of Representatives concurring, That the 16th and 17th joint rules of the two Houses be suspended during the remainder of the present session.

Ordered, That the Secretary request the concurrence of the House of Representatives in the resolution.

The Senate proceeded to consider its amendments to the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, disagreed to by the House of Representatives, and the amendment of the House to the 14th amendment of the Senate, to the said bill; and

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Pearce, Mr. Foot, and Mr. Mallory were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider its amendments to the bill (H. R. 557) making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending the 30th June, 1859, disagreed to by the House of Representatives, and the amendment of the House to the 30th amendment of the Senate to the said bill; and,

On motion of Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Bright, Mr. Stuart, and Mr. Sebastian were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider its amendments to the bill (H. R. 558) making appropriations for the transportation of the United States

mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, disagreed to by the House of Representatives; and

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Yulee, Mr. Seward, and Mr. Clay were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider its amendments to the bill (H. R. 243) making appropriations for the support of the army for the year ending the 30th of June, 1859, disagreed to by the House of Representatives, and the amendment of the House to the 41st amendment of the Senate to the said bill; and

On motion by Mr. Davis,

Resolved, That the Senate insist upon its amendments to the said bill, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Davis,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Davis, Mr. Collamer, and Mr. Slidell were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Pearce was, on his motion, excused from serving as one of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859.

Ordered, That a member be appointed on the committee in the place of Mr. Pearce; and

Mr. Mallory was appointed.

On motion,

Ordered, That Mr. Pugh be appointed on the same committee instead of Mr. Mallory.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (H. R. 648) for the relief of Gotlieb Sheerer, reported it with an amendment.

On motion by Mr. Stuart,

Ordered, That the Committee on Public Lands be discharged from the further consideration of three memorials of citizens of the city of Tampa, Florida, praying that the military reservation and garrison grounds at Fort Brooke be granted to that city for the purpose of establishing a seminary of learning.

Mr. Simmons, from the Committee on Patents and the Patent Office, to whom was recommitted the bill (S. 274) for the relief of Randall

Pegg, reported it with an amendment, and submitted a report on the subject, (No. 325 ;) which was ordered to be printed.

Mr. Jones, from the Committee on Pensions to whom was referred the petition of Mary Walbach, widow of General Walbach, reported a bill (S. 453) for the relief of Mary Walbach, widow of the late Brevet Brigadier General John B. Walbach, of the United States army ; which was read and passed to a second reading.

Mr. Mallory, from the Committee on Naval Affairs, to whom was referred the petition of George B. Bacon, submitted a report, (No. 324,) accompanied by a bill (S. 454) for the relief of George B. Bacon, late acting purser of the sloop-of-war Portsmouth.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

On motion by Mr. Fitch,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the petition of Samuel Stone and Isaac H. Marks.

On motion by Mr. Durkee,

Ordered, That the Committee on Revolutionary Claims be discharged from the further consideration of the petition of the legal representatives of William Bond and William Douglass.

Mr. Bell, from the Committee on Naval Affairs, to whom was re-committed the joint resolution (S. 26) for the benefit of the nearest male heir of the late Major General Towson, United States army, deceased, reported it without amendment.

The Senate proceeded to consider the said resolution, as in Committee of the Whole ; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the secretary request the concurrence of the House of Representatives therein.

Mr. Davis presented a letter from W. Rekyan Bey, accompanied by a treatise on the dromedary, its treatment, and its uses for military purposes.

On motion by Mr. Davis, that the letter and accompanying treatise be printed, and that 2,000 additional copies thereof be printed,

Ordered, That the motion be referred to the Committee on Printing.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the memorial of Marshall O. Roberts and others, trustees of A. G. Sloo, submitted a report, (No. 326,) accompanied by a bill (S. 455) for the relief of the trustees of A. G. Sloo.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Trumbull, relative to certain books purchased by the Post Office Department and distributed by its agents ; and

The resolution was agreed to.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has rejected the bill of the Senate (S. 203) for the relief of the legal representatives of Charles Porterfield, deceased.

The Speaker of the House of Representatives having signed three enrolled bills, H. R. 399, H. R. 538, and H. R. 619, I am directed to bring them to the Senate for the signature of its president.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 610) for the relief of William S. Bradford.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 538. An act for the relief of settlers on certain lands in the State of Illinois;

H. R. 619. An act for the relief of John Sawyer, a soldier of the war of the revolution;

H. R. 399. An act for the relief of certain purchasers of lands within the limits of the Choctaw cession of eighteen hundred and thirty.

The Vice President signed the three enrolled bills, last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives insists upon its disagreement to certain amendments of the Senate to the bill (H. R. 243) making appropriations for the support of the army for the year ending the 30th of June, 1859, and upon its amendment to the 41st amendment of the Senate to the said bill. It agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. John A. Quitman, Mr. Martin Crawford, and Mr. Benjamin Stanton, managers at the same on its part.

The House insists upon its disagreement to certain amendments of the Senate to the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, and upon its amendment to the 14th amendment of the Senate to the said bill. It agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Thomas S. Bocock, Mr. John Kelly, and Mr. Freeman H. Morse, managers at the same on its part.

The House insists upon its disagreement to certain amendments of the Senate to the bill (H. R. 557) making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1859, and upon its amendment to the 30th amendment of the Senate to the said bill. It agrees to the conference asked by the Senate on the disagreeing votes of the two houses thereon, and has appointed Mr. George S. Houston, Mr. James B. Clay, and Mr. Benjamin F. Leiter, managers at the same on its part; and

The House insists upon its disagreement to certain amendments of the Senate to the bill (H. R. 558) making appropriations for the trans-

portation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. George W. Jones, Mr. Humphrey Marshall, and Mr. William H. English, managers at the same on its part.

Mr. Stuart was, on his motion, excused from serving on the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 557) making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1859.

On motion,

Ordered, That the Vice President appoint a member on the said committee in the place of Mr. Stuart, excused; and

Mr. Rice was appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following bills of the Senate:

S. 130. An act for the relief of Jennett H. McCall, only child of Captain James McCall, of the revolutionary war;

S. 277. An act for the relief of Albert G. Allen; and

It has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 340. An act providing an increase of pension to Peter Van Buskirk, of Washington city, in the District of Columbia;

H. R. 650. An act granting an invalid pension to William Randolph.

The Senate resumed the consideration of the resolution reported from the Committee on the Judiciary, declaring the honorable Jesse D. Bright and the honorable Graham N. Fitch, senators in Congress from the State of Indiana, entitled to their seats in the Senate; and

An amendment being proposed by Mr. Hamlin,

On motion by Mr. Trumbull to amend the proposed amendment, After debate,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, to-morrow at 12 o'clock.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of its President.

Mr. Durkee reported from the committee that they had examined and found duly enrolled the following bills:

S. 130. An act for the relief of Jennett H. McCall, only child of Captain James McCall, of the revolutionary war;

S. 277. An act for the relief of Albert G. Allen.

Mr. Pugh was, on his motion, excused from serving on the committee of conference on the disagreeing votes of the two Houses on the

bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859.

On motion,

Ordered, That the Vice President appoint a member on the said committee in the place of Mr. Pugh, excused; and

Mr. Benjamin was appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President signed the two enrolled bills (S. 130 and S. 277) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills:

S. 130. An act for the relief of Jennett H. McCall, only child of Captain James McCall, of the revolutionary war;

S. 277. An act for the relief of Albert G. Allen;

H. R. 399. An act for the relief of certain purchasers of lands within the limits of the Choctaw cession of 1830;

H. R. 619. An act for the relief of John Sawyer, a soldier of the war of the revolution;

H. R. 538. An act for the relief of settlers on certain lands in the State of Illinois;

H. R. 610. An act for the relief of William S. Bradford;

H. R. 647. An act to change the time of holding the spring term of the district court of the United States for the western district of the State of Texas;

S. 127. An act to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825.

Mr. Hunter, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859, reported that they have agreed to recommend, and do recommend, to the respective Houses as follows:

That the Senate recede from the following amendments: 9, 10, 15, 30, 37, 38, 56, 58, 59, and 60;

That the House of Representatives recede from their disagreement to, and concur in, the following amendments of the Senate: 4, 5, 7, 8, 11, 19, 21, 22, 23, 34, 39, 40, 42, 45, 46, 47, 52, 54, and 63;

That the House of Representatives recede from their disagreement to the 1st amendment of the Senate, and agree to the same with an amendment, as follows: Strike out all of said amendment after the word "that," on line 1, and insert these words: *The Secretary of the Treasury may make such allowances to the officers and men of the army and navy while engaged in coast survey service for subsistence, in addition to their compensation, as he may deem necessary, not exceeding the sum authorized by the treasury regulation of the eleventh of May, eighteen hundred and forty-four;*

That the Senate agree to the amendment of the House of Representatives to their 2d amendment;

That the Senate agree to the amendment of the House of Representa-

tives to their 12th amendment with an amendment, as follows: In the fourth line of said amendment strike out the word "painting" and insert *paintings*, and at the end of the amendment insert as follows: *but this provision shall not be so construed as to apply to the execution of designs heretofore made and accepted from Crawford and Rogers* ;

That the House of Representatives recede from their disagreement to the 17th amendment of the Senate and agree to the same with an amendment, as follows: In the fourth line of said amendment strike out the word "three" and insert in lieu thereof the word *two* ;

That the House of Representatives recede from their disagreement to the 18th amendment of the Senate, and agree to the same with an amendment as follows: In the 4th line of said amendment strike out the word "three" and insert in lieu thereof the word *two* ;

That the House of Representatives recede from their disagreement to the 20th amendment of the Senate, and agree to the same with an amendment as follows ; at the end of said amendment insert as follows: *Provided, That no part of the sums herein appropriated for the completion of custom-houses and marine hospitals, excepting those for Charleston and New Orleans, shall be expended until the Secretary of the Treasury shall be satisfied that the sums respectively appropriated will complete the buildings for which they are intended, and until arrangements shall be made to carry this into effect* ;

That the Senate agree to the amendment of the House of Representatives to their 28th amendment ;

That the House of Representatives recede from their disagreement to the 35th amendment of the Senate, and agree to the same with an amendment as follows: after the word "items," in the 3d line of said amendment, strike out the words "five thousand five," and insert in lieu thereof the words, *and paying fees of witnesses before committees of the Senate, seven thousand seven* ;

That the House of Representatives recede from their disagreement to the 41st amendment of the Senate, and that the Senate concur in the amendment of the House of Representatives as an additional amendment, with an amendment as follows: after the word "that," in the 6th line of said amendment, strike out the words "they shall receive no fees or commissions," and insert in lieu thereof the words, *their compensation, including fees, shall not exceed three thousand dollars each per annum* ;

That the House of Representatives recede from their disagreement to the 43d amendment of the Senate, and agree to the same with an amendment as follows: after the word "and," in the 8th line of said amendment, strike out the words "such sum as may be necessary," and insert in lieu thereof the words *three thousand two hundred dollars* ;

That the Senate agree to the amendment of the House of Representatives to their 44th amendment, with an amendment as follows: strike out the whole of the amendment of the House of Representatives, and insert in lieu thereof the following: *That no part of the appropriations which may be at any time made for the contingent expenses of either House of Congress shall be applied to any other than the ordinary expenditures of the Senate and House of Representatives nor as extra allowance to any clerk, messenger, or attendant of the said*

two Houses, or either of them, nor as payment or compensation to any clerk, messenger, or other attendant of the said two Houses, or either of them, unless such clerk, messenger, or other attendant, be so employed by a resolution of one of said Houses ;

That the Senate agree to the amendment of the House of Representatives to their 48th amendment ;

That the House of Representatives recede from their disagreement to the 55th amendment of the Senate, and agree to the same with an amendment as follows: After the words "United States," in the 4th line of said amendment, insert the words *for expenses and disbursements*;

That the Senate agree to the amendment of the House of Representatives to their 62d amendment.

R. M. T. HUNTER,
WM. BIGLER,
W. P. FESSENDEN,

Managers on the part of the Senate.

JOHN S. PHELPS,
HENRY M. PHILLIPS,
WM. A. HOWARD,

Managers on the part of the House of Representatives.

The Senate proceeded to consider the report ; and

On motion by Mr. Hunter, that the Senate concur in the report,

It was determined in the affirmative, { Yeas..... 30
Nays 6

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Chandler, Clay, Collamer, Dixon, Douglas, Fessenden, Foster, Gwin, Harlan, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Mallory, Mason, Pugh, Reid, Sebastian, Seward, Simmons, Slidell, Stuart, Thompson, of Kentucky, Thomson, of New Jersey.

Those who voted in the negative are,

Messrs. Broderick, Brown, Rice, Toombs, Trumbull, Wilson.

So it was

Resolved, That the Senate concur in the report of the committee of conference on the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives, by Mr. Allen, its Clerk :

Mr. President: The House of Representatives concurs in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 200) making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859.

The following message was received from the President of the United States by Mr. Henry, his secretary:

To the Senate of the United States :

In answer to the resolution of the Senate of the 19th ultimo, respecting the Isthmus of Tehuantepec, I transmit herewith a report from the Secretary of State, with the documents by which it is accompanied, together with the copy of a letter from the Postmaster General of the 21st ultimo to the Department of State.

JAMES BUCHANAN.

WASHINGTON, *June 11, 1858.*

The message was read.

On motion by Mr. Douglas, that the message be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, information in relation to the fees or charges of the consul general of Canada on goods or articles imported into the United States from Canada ; which was read.

On motion by Mr. Stuart, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating, in compliance with a resolution of the Senate, information in relation to the time at which each vessel in the navy was built and the original cost thereof, with the cost of repairs to each, and the time when made ; also, the present condition of the vessels in the navy as to fitness for service ; which was read.

On motion by Mr. Collamer, that the report be printed,

Ordered, That it be referred to the Committee on Printing.

Mr. Seward submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the President of the United States (if, in his judgment, compatible with the public interest) communicate to the Senate such information as the executive departments may afford of the contracts, agreements, and arrangements which have been made, and of proposals which have been received for heating and ventilating the Capitol extension, the post office, and other public buildings in course of construction under the management of Captain Meigs, and of the action of the Secretary of War and Captain Meigs thereon.

Mr. Iverson submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the order directing the petition and papers of John Forrester to be withdrawn from the Court of Claims and referred to the Committee on Pensions be rescinded.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 460) granting an invalid pension to Beriah Wright, of New York, and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 460) granting an invalid pension to Beriah Wright, of New York.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the following acts :

S. 127. An act to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825 ;

S. 277. An act for the relief of Albert G. Allen.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives (H. R. 650) granting an invalid pension to William Randolph was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

The bill from the House of Representatives (H. R. 340) providing an increase of pension to Peter Van Buskirk, of Washington city, in the District of Columbia, was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

The Senate resumed the consideration of the bill (H. R. 42) granting a pension to Mary A. M. Jones.

An amendment to the bill allowing a pension to Myra Clark Gaines having been made, and amended by striking out "half the pay proper per month to which the said Gaines was entitled at his death" and inserting in lieu thereof: *not exceeding fifty dollars per month.*

A motion was made by Mr. Crittenden, to amend the bill by adding the following section :

SEC. —. *And be it further enacted, That the name of Jane Turnbull, the widow of the late Lieutenant Colonel William Turnbull, be placed on the pension roll, as a pensioner for life, at the rate of fifty dollars monthly.*

On motion by Mr. Mallory,

The proposed amendment was amended by striking out "fifty dollars monthly" and inserting: *the half-pay proper to which Lieutenant Colonel William Turnbull was entitled at the time of his death.*

The amendment, as amended, was agreed to.

On motion by Mr. Mallory, to amend the bill by adding thereto :

That the Secretary of the Interior be directed to place the name of Jane Perry, widow of the late Commodore Matthew C. Perry, on the pension roll, at the rate of fifty dollars per month, to commence from the fourth day of March, eighteen hundred and fifty-eight.

It was determined in the affirmative.

On motion by Mr. Thomson, of New Jersey, to amend the bill by adding :

And that the name of Ann Smith, of Louisiana, be, and the same is hereby, placed upon the pension list of the United States, and that the Secretary of the Interior pay or cause to be paid to the said Ann Smith the sum of fifty dollars per month, commencing from the date of the death of her husband, General Persifer F. Smith, of the United States army,

It was determined in the affirmative.

On motion by Mr. Iverson, to amend the said amendment by inserting :

And that Mrs. McComb, the widow of General Alexander McComb, deceased, shall likewise be entitled to a pension during her life, at the rate of fifty dollars per month, to commence from the date of her said husband's death,

It was determined in the affirmative.

On motion by Mr. Toombs, to amend the amendment by inserting :

And that the widows of all soldiers who have heretofore died or who may hereafter die in the military service of the United States shall be put upon the pension roll at the rate of fifty dollars per month during their natural lives, deducting all pensions heretofore paid to such widows,

On motion,

Ordered, That the further consideration of the bill be postponed until to-morrow.

Mr. Mallory, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, reported that, after full and free conference, they have agreed to recommend and do recommend to their respective Houses as follows :

That the Senate do recede from its 1st and 5th amendments;

That the House do recede from its disagreement to the 2d and 3d amendments of the Senate ;

That the House do recede from its disagreement to the 10th amendment of the Senate, and agree to said amendment with an amendment as follows :

Strike out "first day of July, 1856," and insert the words : *passage of this act.*

That the Senate do agree to the amendment of the House to its 14th amendment.

S. R. MALLORY,
SOLOMON FOOT,
J. P. BENJAMIN,

Managers on the part of the Senate.

THOMAS S. BOCOCK,
JOHN KELLY,
F. H. MORSE,

Managers on the part of the House.

A message from the House of Representatives by Mr. Allen its Clerk :

Mr. President : The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 460,) I am directed to bring it to the Senate for the signature of its president.

The Vice President signed the enrolled bill (H. R. 460) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

On motion by Mr. Pugh, that the Senate adjourn,

It was determined in the Negative, { Yeas 9
Nays 15

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the Senators present.

Those who voted in the affirmative are,

Messrs. Broderick, Brown, Fessenden, Harlan, Kennedy, Mallory, Pugh, Slidell, Toombs.

Those who voted in the negative are,
Messrs. Bayard, Benjamin, Bigler, Bright, Collamer, Davis, Foot,
Gwin, Houston, Johnson, of Arkansas, Reid, Sebastian, Simmons,
Stuart, Thomson, of New Jersey.

A quorum of the Senate not voting,
On motion by Mr. Seward, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 12
Nays..... 11

On motion by Mr. Johnson, of Arkansas,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Benjamin, Broderick, Brown, Fessenden, Harlan, Houston,
Hunter, King, Mallory, Pugh, Reid, Toombs.

Those who voted in the negative are,
Messrs. Bayard, Bright, Collamer, Davis, Foot, Gwin, Johnson, of
Arkansas, Sebastian, Simmons, Stuart, Wilson.

Whereupon,
The Senate adjourned.

SATURDAY, JUNE 12, 1858.

A message from the House of Representatives by Mr. Allen, its
Clerk:

Mr. President: The House of Representatives agrees to some and
disagrees to other amendments of the Senate to the bill (H. R. 556)
making appropriations for the service of the Post Office Department
during the fiscal year ending the 30th of June, 1859.

The House of Representatives has agreed to the report of the com-
mittee of conference on the disagreeing votes of the two Houses on the
bill (H. R. 243) making appropriations for the support of the army
for the year ending the 30th of June, 1859.

The House of Representatives has agreed to the report of the com-
mittee of conference on the disagreeing votes of the two Houses on the
bill (H. R. 557) making supplemental appropriations for the current
and contingent expenses of the Indian department, and for fulfilling
treaty stipulations with various Indian tribes, for the year ending the
30th of June, 1859.

The House of Representatives disagrees to the report of the commit-
tee of conference on the disagreeing votes of the two Houses on the
bill (H. R. 199) making appropriations for the naval service for the
year ending the 30th of June, 1859, and asks a further conference on
the said disagreeing votes; and has appointed Mr. Warren Winslow,
Mr. W. S. Groesbeck, and Mr. E. B. Washburne, managers at the
same on its part.

The Speaker of the House of Representatives having signed an en-
rolled bill, (H. R. 200,) I am directed to bring it to the Senate for the
signature of its President.

Mr. Rice reported from the committee that they had examined and
found duly enrolled the bill (H. R. 200) making appropriations for
sundry civil expenses of the government for the year ending the 30th
of June, 1859.

The Senate proceeded to consider its amendments to the bill (H. R.

556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, disagreed to by the House of Representatives ; and,

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President ; and

Mr. Gwin, Mr. Crittenden, and Mr. Johnson, of Arkansas, were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President signed the enrolled bill (H. R. 200) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

Mr. Davis, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 243) making appropriations for the support of the army for the year ending June 30, 1859, submitted the following report :

“ That the Senate recede from their 16th, 17th, 18th, 20th, 21st, 24th, 27th, 28th, 29th, 32d, 34th, 35th, 45th, 46th, 47th, 48th and 49th amendments, disagreed to by the House ;

That the House recede from their disagreement to, and concur in, the 1st, 19th, 36th, 38th, 40th and 43d amendments of the Senate ;

That the House recede from their disagreement to the 3d amendment of the Senate, and concur in the same, with the following amendment : In the 4th line of said amendment, strike out “ forty-five ” and insert *twenty-five* ;

That the House recede from their disagreement to the 4th amendment of the Senate, and concur in the same, with the following amendment : In line 10 of said amendment of the Senate, strike out all after the word “ war ” to the end of the amendment, and insert in lieu thereof the following : *and at his discretion in applying to the old or new arms any recent improvement in the mode of priming* ;

That the House recede from their disagreement to the 22d amendment of the Senate, and concur in the same, with the following amendment : Strike out “ fifty ” and insert *forty* ;

That the House recede from their disagreement to the 23d amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 25th amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 26th amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one-hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 30th amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 31st amend-

ment of the Senate, and concur in the same, with the following amendment: Strike out "two hundred" and insert *one hundred and fifty*;

That the House recede from their disagreement to the 33d amendment of the Senate, and concur in the same, with the following amendment: Strike out "one hundred and fifty thousand" and insert *one hundred and twelve thousand five hundred*;

That the House recede from their disagreement to the 37th amendment of the Senate, and concur in the same, with the following amendment: Strike out "fifty" and insert *thirty*;

That the House recede from their disagreement to the 42d amendment of the Senate, and concur in the same, with the following amendment: In the 4th line of said amendment strike out the words "for printing;"

That the Senate recede from their disagreement to the amendment of the House to the 41st amendment of the Senate, and concur in the same.

JEFFERSON DAVIS,
JOHN SLIDELL,
J. COLLAMER,

Managers on the part of the Senate.

J. A. QUITMAN,
MARTIN J. CRAWFORD,
B. STANTON,

Managers on the part of the House."

The Senate proceeded to consider the said report; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bright, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 557) "making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th June, 1859," submitted the following report:

That the Senate recede from its 26th, 27th, 28th, and 29th, amendments;

"That the Senate recede from its disagreement to the amendment of the House to its 30th amendment, and concur in the same;

That the House recede from its disagreement to the 3d amendment of the Senate, and agree to the same, with an amendment as follows:

In the fourth line of said amendment, strike out the word "March" and insert *August*.

J. D. BRIGHT,
W. K. SEBASTIAN,
H. M. RICE,

Managers on the part of the Senate.

GEO. S. HOUSTON,
B. F. LEITER,
JAMES B. CLAY,

Managers on the part of the House."

The Senate proceeded to consider the said report; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives concurs in the resolution of the Senate for a suspension of the 16th and 17th joint rules of the two Houses for the remainder of the present session.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 230) for the relief of Mary Bennett, reported it without amendment, and that it ought not to pass.

The following message was received from the President of the United States, by Mr. Henry, his secretary :

To the Senate and House of Representatives :

I feel it to be an indispensable duty to call your attention to the condition of the treasury. On the 19th day of May last the Secretary of the Treasury submitted a report to Congress "on the present condition of the finances of the government." In this report he states that, after a call upon the heads of departments, he had received official information that the sum of \$37,000,000 would probably be required during the first two quarters of the next fiscal year, from the 1st of July until the 1st of January. "This sum," the Secretary says, "does not include such amounts as may be appropriated by Congress over and above the estimates submitted to them by the departments, and I have no data on which to estimate for such expenditures. Upon this point Congress is better able to form a correct opinion than I am."

The Secretary then estimates that the receipts into the treasury, from all sources, between the 1st of July and the 1st of January, would amount to \$25,000,000, leaving a deficit of \$15,000,000, inclusive of the sum of about \$3,000,000, the least amount required to be in the treasury at all times to secure its successful operation. For this amount he recommends a loan. This loan, it will be observed, was required, after a close calculation, to meet the estimates from the different departments, and not such appropriations as might be made by Congress over and above these estimates.

There was embraced in this sum of \$15,000,000, estimates to the amount of about \$1,750,000 for the three volunteer regiments, authorized by the act of Congress approved April 7, 1858; for two of which, if not for the third, no appropriation will now be required. To this extent a portion of the loan of \$15,000,000 may be applied to pay the appropriations made by Congress beyond the estimates from the different departments, referred to in the report of the Secretary of the Treasury.

To what extent a probable deficiency may exist in the treasury between the 1st July and the 1st January next, cannot be ascertained until the appropriation bills, as well as the private bills containing appropriations, shall have finally passed.

Adversity teaches useful lessons to nations as well as individuals. The habit of extravagant expenditures, fostered by a large surplus in the treasury, must now be corrected, or the country will be involved in serious financial difficulties.

Under any form of government extravagance in expenditure must be the natural consequence, when those who authorize the expenditure feel no responsibility in providing the means of payment. Such had been for a number of years our condition previously to the late monetary revulsion in the country. Fortunately, at least for the cause of public economy, the case is now reversed; and to the extent of the appropriations, whatever these may be, engrafted on the different appropriation bills, as well as those made by private bills, over and above the estimates of the different departments, it will be necessary for Congress to provide the means of payment before their adjournment. Without this, the treasury will be exhausted before the first of January, and the public credit will be seriously impaired. This disgrace must not fall upon the country.

It is impossible for me, however, now to ascertain this amount; nor does there at present seem to be the least probability that this can be done, and the necessary means provided by Congress to meet any deficiency which may exist in the treasury before Monday next at 12 o'clock, the hour fixed for adjournment, it being now Saturday morning at half past 11 o'clock. To accomplish this object, the appropriation bills, as they shall have finally passed Congress, must be before me, and time must be allowed to ascertain the amount of the moneys appropriated, and to enable Congress to provide the necessary means. At this writing it is understood that several of these bills are yet before the committee of conference, and the amendments to some of them have not even been printed.

Foreseeing that such a state of things might exist at the close of the session, I stated, in the annual message to Congress of December last, that "from the practice of Congress such an examination of each bill as the Constitution requires has been rendered impossible. The most important business of each session is generally crowded into its last hours, and the alternative presented to the President is either to violate the constitutional duty which he owes to the people and approve bills which, for want of time, it is impossible he should have examined, or, by his refusal to do this, subject the country and individuals to great loss and inconvenience.

* * * * *

"For my own part, I have deliberately determined that I shall approve no bills which I have not examined; and it will be a case of extreme and most urgent necessity which shall ever induce me to depart from this rule."

The present condition of the treasury absolutely requires that I should adhere to this resolution on the present occasion, for the reasons which I have heretofore presented.

In former times it was believed to be the true character of an appropriation bill simply to carry into effect existing laws and the established policy of the country. A practice has, however, grown up of late years to engraft on such bills, at the last hours of the session, large appropriations for new and important objects, not provided for by pre-existing laws, and when no time is left to the Executive for their examination and investigation. No alternative is thus left to the

President but either to approve measures without examination, or, by vetoing an appropriation bill, seriously to embarrass the operations of the government. This practice could never have prevailed without a surplus in the treasury sufficiently large to cover an indefinite amount of appropriations. Necessity now compels us to arrest it, at least so far as to afford time to ascertain the amount appropriated, and to provide the means of its payment.

For all these reasons, I recommend to Congress to postpone the day of adjournment for a brief period. I promise that not an hour shall be lost in ascertaining the amount of appropriations made by them for which it will be necessary to provide. I know it will be inconvenient for the members to attend a called session, and this, above all things, I desire to avoid.

JAMES BUCHANAN.

WASHINGTON CITY, June 12, 1858.

The message was read.

Ordered, That it be referred to the Committee on Printing.

Mr. Johnson of Arkansas, from the Committee on Printing, to whom was referred the message of the President of the United States this day laid before the Senate, reported in favor of printing the same; and

The report was agreed to.

The Senate resumed the consideration of the resolution reported from the Committee on the Judiciary, declaring the Honorable Jesse D. Bright and the Honorable Graham N. Fitch, senators in Congress from the State of Indiana, entitled to their seats in the Senate.

A motion was made by Mr. Hamlin to amend the resolution by striking out all after the word "Resolved," and inserting:

That the case of Jesse D. Bright and Graham N. Fitch be recommended to the Committee on the Judiciary, with instructions to report specially the grounds on which the resolution is based declaring said Bright and Fitch elected.

On motion by Mr. Trumbull to amend the proposed amendment by striking out all after the word "That" and inserting *in the opinion of the Senate, no election of a member of this body made by the legislature of a State consisting of two branches is valid, when made in a meeting of individual members of both, unless such meeting for that purpose was prescribed by law or had been previously agreed to by each House acting separately in its organized capacity, or is participated in by a majority of the members of each House, or is subsequently ratified in some form by each House in its organized capacity.*

It was determined in the negative, { Yeas..... 17
Nays 26

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Davis,

Fitzpatrick, Green, Gwin, Hammond, Hayne, Iverson, Jones, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On the question to agree to the amendment proposed by Mr. Hamlin,

It was determined in the negative, { Yeas..... 16
Nays 34

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Broderick, Brown, Clay, Clingman, Collamer, Fitzpatrick, Green, Gwin, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

So the amendment was not agreed to.

On motion by Mr. Trumbull, to amend the resolution by inserting after the word "are" and before the word "entitled" the word *not*,

It was determined in the negative, { Yeas..... 23
Nays..... 30

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Mason, Pearce, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Hayne, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

No further amendment being proposed, the resolution reported by the Committee on the Judiciary was then agreed to, as follows:

Resolved, That Graham N. Fitch and Jesse D. Bright, senators returned and admitted from the State of Indiana, are entitled to the seats which they now hold in the Senate as such senators aforesaid, the former until the 4th of March, 1861, and the latter until the 4th of March, 1863, according to the tenor of their respective credentials.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859; and

On the question to agree to the following recommendation of the committee, viz: "That the Senate do agree to the amendment of the House to its fourteenth amendment;" which amendment is, to strike

out of the said amendment of the Senate the word "five," and insert *ten*, before the words "steam screw sloops of war."

It was determined in the negative, { Yeas..... 26
Nays..... 30

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Brown, Clingman, Crittenden, Douglas, Fitch, Green, Gwin, Hammond, Hayne, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Mason, Reid, Sebastian, Simmons, Slidell, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Clark, Collamer, Davis, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hale, Hamlin, Harlan, Houston, Hunter, Johnson, of Tennessee, Jones, King, Pearce, Polk, Pugh, Rice, Seward, Stuart, Toombs, Trumbull, Wade, Wilson.

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, disagreed to by the House of Representatives, disagree to the amendment of the House to the 14th amendment of the Senate to the said bill, and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

On motion,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Pearce, Mr. Thomson, of New Jersey, and Mr. Foster were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Hale,

Ordered, That the select committee on the Military Asylum have leave to report at the next session of Congress.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, (H. R. 557 and H. R. 243,) I am directed to bring them to the Senate for the signature of its president.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 243. An act making appropriations for the support of the army for the year ending the 30th of June, 1859;

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1859.

The Vice President signed the two enrolled bills (H. R. 243 and H. R. 557) last mentioned, and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the bill (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858.

An amendment having been proposed by Mr. Houston,

A division of the same was called for by Mr. Green; and the question being taken on agreeing to the first clause thereof, as follows:

SEC. —. *And be it further enacted, That the superintendent and agents within the superintendency of Texas shall be hereafter appointed in the same manner as other superintendents and agents are appointed and confirmed,*

It was determined in the affirmative, { Yeas..... 22
Nays 14

On motion by Mr. Houston,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Broderick, Chandler, Clingman, Collamer, Fitzpatrick, Foster, Green, Harlan, Hayne, Houston, Johnson, of Tennessee, Kennedy, Polk, Reid, Rice, Simmons, Thompson, of Kentucky, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Clay, Davis, Fessenden, Fitch, Foot, Hamlin, Hunter, Iverson, Mason, Pugh, Sebastian, Stuart.

On the question to agree to the second clause thereof, as follows:

And the Wicketaw agency is hereby attached to the superintendency of Texas,

It was determined in the negative, { Yeas..... 15
Nays 22

On motion by Mr. Houston,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Broderick, Fitzpatrick, Harlan, Houston, Johnson, of Tennessee, Kennedy, King, Polk, Reid, Simmons, Thompson, of Kentucky, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Clay, Clingman, Davis, Fessenden, Fitch, Foot, Foster, Green, Hamlin, Hunter, Iverson, Johnson, of Arkansas, Mason, Pearce, Pugh, Rice, Sebastian, Slidell, Stuart, Wright.

The bill, having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The bill was read a third time as amended.

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the *second and third* amendments, and disagrees to the *fourth* amendment of the Senate to the bill (H. R. 466) making appropriations for the expenses

of collecting the revenue from customs, and it agrees to the *first* amendment of the Senate to the said bill, with an amendment, in which it requests the concurrence of the Senate.

Mr. Yulee, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, reported that the committee were unable to agree.

The Senate proceeded to consider its amendments to the said bill (H. R. 558) disagreed to by the House of Representatives; and

On motion by Mr. Yulee,

Resolved, That the Senate insist on its amendments to said bill, and ask a further conference on the disagreeing votes of the two Houses thereon.

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Hammond, Mr. Hale, and Mr. Mallory were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 585) to establish certain post roads, reported it with amendments.

The Senate proceeded to consider the said bill (H. R. 585) as in Committee of the Whole; and, the reported amendments having been agreed to, the bill was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives insists upon its disagreement to certain amendments of the Senate to the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Henry C. Burnett, Mr. Charles Billingham, and Mr. Erastus Corning, managers at the same on its part.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills:

H. R. 460. An act granting an invalid pension to Beriah Wright, of New York.

H. R. 200. An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859.

H. R. 243. An act making appropriations for the support of the army for the year ending 30th June, 1859.

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian Department, and for

fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859.

Mr. Clay submitted the following resolution, which was considered, by unanimous consent, and agreed to.

Resolved, That the President be, and he is hereby, requested to communicate to the Senate, as soon after the commencement of the next session of Congress as possible, the amount of money paid for pensions in each of the States and Territories since the commencement of the present government, discriminating between the army and navy pensions; and that he also state the aggregate amount paid by the United States for pensions of both kinds in all the States and Territories.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives insists upon its disagreement to the amendments of the Senate to the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, agrees to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Daniel E. Sickles, Mr. Richard Mott, and Mr. M. R. H. Garnett, managers of the same on its part.

The Senate proceeded to consider their amendments to the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, amended and disagreed to by the House of Representatives; and

On the question to agree to the following amendment of the House to the 1st amendment of the Senate, viz: line 5, strike out the word "five" and insert the word *eight*,

It was determined in the affirmative, {	Yeas.....	29
	Nays.....	13

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Broderick, Brown, Clay, Clingman, Fitch, Fitzpatrick, Gwin, Hammond, Hayne, Houston, Hunter, Johnson, of Arkansas, Jones, Mallory, Mason, Pearce, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Bell, Chandler, Collamer, Crittenden, Fessenden, Foot, Foster, Harlan, Johnson, of Tennessee, King, Simmons, Trumbull, Wade.

On motion by Mr. Hunter,

That the Senate insist on their 4th amendment, disagreed to by the House of Representatives,

It was determined in the affirmative.

On motion by Mr. Hunter,

Resolved, That the Senate ask a conference on the disagreeing votes of the two Houses on the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs.

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President.

The Vice President appointed Mr. Hunter, Mr. Bright, and Mr. Wade, the committee.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives have appointed Mr. John C. Kunkel a manager of the conference on the disagreeing votes of the two Houses of Congress upon the amendments of the Senate to the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers, and otherwise, during the fiscal year ending the 30th of June, 1859, in the place of Mr. Richard Mott, excused.

Mr. Pearce, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, reported that they have agreed to recommend, and do recommend, to their respective Houses as follows:

That the House do recede from their disagreement to the 10th amendment of the Senate, and agree to said amendment with an amendment, as follows: Insert the word "and" between the words clerks and messengers, in the third line, and strike out the words "and watchmen" in the fourth line.

That the House do recede from their amendment to the 14th amendment of the Senate, and agree to said amendment with an amendment, as follows: Strike out the word "five" in the 3d line and insert the word *seven*.

J. A. PEARCE,

L. F. S. FOSTER,

JNO. R. THOMSON,

Managers on the part of the Senate.

WARREN WINSLOW,

E. B. WASHBURN,

W. S. GROESBECK,

Managers on the part of the House.

The Senate proceeded to consider the report; and

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Fitch

Ordered, That the papers in the case of C. Alexander and T. Barnard, on the files of the Senate, be referred to the Court of Claims.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr President: The House of Representatives has passed a bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, in which it requests the concurrence of the Senate.

The House of Representatives agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the bill

(H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859.

The bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars was read the first and second times, by unanimous consent, and considered as in the Committee of the Whole, and having been amended, it was reported to the Senate and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read a third time, by unanimous consent.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 345) for the relief of Nancy Magill, of Ohio, and no amendment being made it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 412) supplemental to an act for the admission of the State of Minnesota into the Union, reported it with an amendment.

The Senate proceeded to consider as in Committee of the Whole, the said bill, (S. 412 ;) and, the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass and that the title be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the bill of the Senate (S. 424) for the relief of Georgiana M. Lewis.

On motion by Mr. Wright

Ordered, That Catherine Keller have leave to withdraw her petition and papers.

Mr. Clark submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Naval Affairs :

Resolved, That the Secretary of the Navy be directed to cause the invention of Samuel Gardner, jr., for making signal lights on vessels at sea and in harbors by electricity, to be tested, and that he report the result at the commencement of the next session of Congress.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 631) granting an invalid pension to John Holland, of

Arkansas, and no amendment being made it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (H. R. 650) granting an invalid pension to William Randolph, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Gwin, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, reported: That they had met the conferees on the part of the House of Representatives, and that the conferees were unable to agree.

On motion by Mr. Gwin,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and ask a further conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Gwin,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Toombs, Mr. Brown, and Mr. Collamer, were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the resolution submitted by Mr. Green the 28th of May, relative to collection districts; and, having been amended, the resolution was agreed to as follows:

Resolved, That the Secretary of the Treasury be requested to report to the Senate, at the commencement of the next session of Congress, a full and complete list of all collection districts for the collection of duties on imports, showing in each district—

1st. The amount of revenue annually collected; the name of every person employed directly or indirectly connected with the collection of the revenue, either as officer or agent, and the amount of compensation paid to each; and the law under which each officer or agent was appointed. 2d. The amount expended for salaries of officers and employés annually. And 3d. The amount expended for custom-houses or rents of offices and warehouses. Also, that he state what custom-houses or ports of entry or delivery can be dispensed with, with a proper regard to economy and the security of the collection of the revenue, and consistently with commercial interests; or what modifica-

tions of the laws are necessary for the public interests in relation to the collection of customs, and what number of officers can be dispensed with in each of the several collection districts.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 513) granting an invalid pension to William Howell, of Tennessee; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the letter of W. Rekyan Bey, with his account of the dromedary, its treatment and uses, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate, in addition to the usual number, two thousand copies of the letter of W. Rekyan Bey to Edward de Leon, esq., consul general of the United States in Egypt, on the treatment and use of the dromedary.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Treasury relative to the fees or charges of the consul general for Canada, on goods imported into the United States from Canada, reported in favor of printing the report; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Navy relative to cost of building and repairing vessels of war, reported in favor of printing the report; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President in relation to the Isthmus of Tehuantepec, reported in favor of printing the message; and

The report was agreed to.

Mr. Fitch, from the Committee on Post Offices and Post Roads, to whom was referred the joint resolution (H. R. 37) in regard to carrying the United States mails from St. Joseph, Missouri, to Placerville, California, reported it without amendment.

Mr. Davis, from the Committee on Military Affairs and the Militia, reported a joint resolution (S. 53) directing the printing of certain reports therein mentioned, which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 56) making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The House of Representatives insists upon its disagreement to the fourth amendment of the Senate to the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, agrees to the conference asked by the Senate upon the disagreeing votes of the two Houses thereon, and has appointed Mr. John Cochrane, Mr. Warner L. Underwood, and Mr. Charles L. Scott, managers at the same on its part.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 424) for the relief of Georgiana M. Lewis.

On motion by Mr. Clay,

Ordered, That the Senate take a recess until seven o'clock.

SEVEN O'CLOCK, P. M.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills (S. 424 and H. R. 345) I am directed to bring them to the Senate for the signature of its president.

The Vice President signed the two enrolled bills (S. 424 and H. R. 345) last mentioned, and they were delivered to the committee to be presented to the President of the United States.

Mr. Hammond, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 558) making appropriations for the transportation of the United States mails by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, reported that they have agreed to recommend, and do recommend, to their respective Houses as follows:

"That the Senate do recede from its 1st amendment.

That the House do recede from its non-concurrence in the 3d amendment of the Senate, and concur in said amendment with amendments as follows:

Insert the word *new* between the word "other" and the word "contract" at the end of the third line of said amendment; strike out the word "five" in the fifth line of said third amendment, and insert the word *two* in lieu thereof; and add at the end of said amendment the words, *nor for any other compensation than the sea and inland postages on the mails so transported.*

That the House do recede from its non-concurrence in the 4th amendment of the Senate.

That the Senate do recede from its fifth amendment.

J. H. HAMMOND,
S. R. MALLORY,
JOHN P. HALE,

Managers on the part of the Senate.

D. E. SICKLES,
M. R. H. GARNETT,
JOHN C. KUNKEL,

Managers on the part of the House.

The Senate proceeded to consider the report ; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (H. R. 199) I am directed to bring it to the Senate for the signature of its president.

The Vice President signed the enrolled bill (H. R. 199) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

Mr. Wright, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution relative to the price to be allowed for binding the Congressional Globe and Appendix for the 34th Congress, submitted an adverse report (No. 327) thereon ; which was ordered to be printed.

The Vice President laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, certain papers relative to alleged violations of law and malfeasance in office on the part of the postmaster at San Francisco ; which was read.

Ordered, That it be referred to the Committee on Post Offices and Post Roads.

On motion that the report be printed.

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, information respecting the purchase and distribution of certain books by the Post Office Department ; which was read.

Ordered, That it lie on the table.

Mr. Pearce, from the Committee on the Library, to whom the subject was referred, reported a bill (S. 456) to furnish the Court of Claims with law books and congressional documents ; which was read and passed to a second reading.

Mr. Pearce also submitted a report (No. 328) on the subject ; which was ordered to be printed.

On motion by Mr. Pearce,

Ordered, That the Committee on the Library be discharged from the further consideration of the joint resolution (S. 44) to grant to

the judges and solicitor of the Court of Claims the use of the Congressional Library, and for other purposes.

Mr. Iverson submitted the following resolution for consideration:

Whereas it is expected that the Senate will occupy the new hall preparing for its use at the next session, and, to prevent confusion in the assignment of seats therein:

Be it resolved, That the choice of seats therein shall be determined and regulated as follows: The senators shall be divided into three equal classes. The first class shall consist of those who have been longest in continual service in the Senate, who shall first draw for choice of seats amongst themselves; the second class shall consist of those who have served continuously for the next longest time in the Senate, who shall draw for choice of seats amongst themselves; the remaining number shall draw for choice of seats amongst themselves; and in each case the drawing shall be conducted in the usual manner.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Henry M. Fleury and others, submitted a report, (No. 329,) accompanied by a bill (S. 457) for the relief of Henry M. Fleury, of Louisiana.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 345. An act for the relief of Nancy Magill, of Ohio;

H. R. 199. An act making appropriations for the naval service for the year ending the 30th of June, 1859;

H. R. 650. An act granting an invalid pension to William Randolph;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 218) for the benefit of the captors of the British brig *Caledonia*, in the war of 1812; and, having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, "Shall the bill pass?"

It was determined in the affirmative, { Yeas..... 29
Nays 9

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hamlin, Harlan, Hayne, Houston, Iverson, Kennedy, Mallory, Pugh, Seward, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,
Messrs. Bayard, Fitch, Fitzpatrick, Johnson, of Tennessee, King,
Polk, Reid, Slidell, Stuart.

So it was

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives concur in the amendments of the Senate to the bill (H. R. 585) to establish certain post roads.

It insists on its non-concurrence in the amendments of the Senate to the bill (H. R. 556) entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859," insisted on by the Senate, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses, and has appointed Mr. Henry M. Phillips, Mr. John M. Wood, and Mr. William W. Boyce, managers at the same on its part.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of its president.

The Vice President signed the following enrolled bills :

H. R. 650. An act granting an invalid pension to William Randolph ;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory.

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee.

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has appointed Mr. John V. Wright on the committee of conference on the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th June, 1859, in the place of Mr. William W. Boyce.

The House of Representatives has passed a bill (H. R. 550) making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes; in which it requests the concurrence of the Senate.

The bill last mentioned from the House of Representatives (H. R. 550) was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

The Senate resumed the consideration of the bill (H. R. 42) granting a pension to Mary A. M. Jones.

On motion by Mr. Stuart, and by unanimous consent, the bill was amended by striking out the several amendments providing relief for Myra Clark Gaines, Ann Smith, of Louisiana, Mrs. Macomb, widow of General Alexander Macomb, deceased, and Jane Turnbull.

On motion by Mr. Stuart, the vote was reconsidered, agreeing to

the amendment to the bill, lines 7, 8, striking out the words "of one-half the pay monthly to which her late husband was entitled at the time of his death" and inserting in lieu thereof, *of fifty dollars per month*, and

The question recurring on agreeing to the said amendment,
It was determined in the negative.

On motion by Mr. Johnson, of Tennessee, to amend the bill by inserting at the end thereof the following :

SEC. —. *And be it further enacted, That there be paid to Mrs. Mary Kirby Smith, widow of the late Captain E Kirby Smith, of the United States army, a sum which, added to the pay to which she is entitled under the pension act, as widow of a captain, will equal the half-pay of a lieutenant colonel, this latter rank being the capacity in which said Captain Smith was serving at the time he received a mortal wound in leading on his battalion to the decisive charge, at the battle of Molina del Rey, in Mexico,*

It was determined in the negative, { Yeas..... 9
Nays 25

On motion by Mr. Johnson, of Tennessee,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Chandler, Fessenden, Foster, Houston, Iverson, Johnson, of Tennessee, King, Polk, Wright.

Those who voted in the negative are,
Messrs. Bayard, Bright, Broderick, Clingman, Crittenden, Davis, Doolittle, Fitch, Fitzpatrick, Gwin, Hale, Harlan, Hayne, Jones, Kennedy, Pearce, Pugh, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Yulee.

No further amendment being proposed,
Ordered, That the bill pass to a third reading.

The bill was read a third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas 28
Nays..... 8

On motion by Mr. Fessenden,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Bigler, Bright, Broderick, Clingman, Crittenden, Davis, Doolittle, Douglas, Fitch, Foot, Gwin, Hale, Hammond, Hayne, Houston, Jones, Kennedy, Mallory, Pearce, Pugh, Rice, Seward, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,
Messrs. Fessenden, Fitzpatrick, Harlan, Iverson, Johnson, of Tennessee, King, Polk, Stuart.

So it was

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 383) for the relief of Myra Clark Gaines; and, having been amended on the motion of Mr. Seward, by inserting after the word

The bill (H. R. 651) last mentioned was read and passed to a second reading.

Mr. Hunter, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, reported that they have agreed to recommend and do recommend to the respective Houses as follows:

“That the House of Representatives recedes from its disagreement to the fourth amendment of the Senate, and concurs with an amendment as follows: strike out all after the word “warehouses” in the 5th line to the word “than” in line 8, and insert: *or appraisers shall receive a compensation more than twenty-five per centum greater.*

R. M. T. HUNTER,

J. D. BRIGHT,

B. F. WADE,

Managers on the part of the Senate.

JOHN COCHRANE,

W. L. UNDERWOOD.

Managers on the part of the House of Representatives.

The Senate proceeded to consider the report; and

On motion,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the amendments of the Senate to the bill of the House (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1858.

The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 558) I am directed to bring it to the Senate for the signature of its President.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives concurs in the amendment of the Senate to the bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, with the following amendments, viz: Line 4, strike out the word “fifteen” and insert *twenty*; line 16, strike out the word “five” and insert the word *six*.

The Senate proceeded to consider the amendments of the House of Representatives to the amendment of the Senate to the bill last mentioned.

On the question to agree to the first amendment of the House to the amendment of the Senate to the said bill, viz: Strike out “fifteen” and insert *twenty*,

It was determined in the affirmative, { Yeas..... 24
Nays..... 21

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitch, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Jones, Mason, Reid, Rice, Sebastian, Slidell, Stuart, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Collamer, Crittenden, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, Kennedy, King, Pugh, Seward, Simmons, Toombs, Trumbull, Wilson.

On the question to agree to the second amendment of the House of Representatives to the amendment of the Senate, viz: Strike out "five" and insert *six*,

It was determined in the negative.

So it was

Resolved, That the Senate agree to the first amendment of the House to the amendment of the Senate to the bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, and disagree to the second amendment of the House to the amendment of the Senate to the said bill; and that the title of the bill be amended by striking out "fifteen," and inserting *twenty*.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills and resolution:

H. R. 42. An act granting a pension to Mary A. M. Jones;

H. H. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859;

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs;

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858;

H. R. 37. Joint resolution in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The Speaker of the House of Representatives having signed the following enrolled bills, and enrolled resolution:

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858;

H. R. 37. Joint resolution in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California;

I am directed to bring them to the Senate for the signature of their president.

The Vice President signed the following enrolled bills and enrolled joint resolution:

H. R. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859 ;

H. R. 37. Resolution in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California ;

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs ;

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1858.

On motion by Mr. Slidell, that the Senate adjourn,

It was determined in the negative, { Yeas..... 17
Nays..... 29

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Polk, Slidell, Toombs, Trumbull, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Bell, Broderick, Chandler, Collamer, Crittenden, Davis, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hale, Hamlin, Houston, Hunter, Iverson, Jones, Kennedy, King, Pugh, Reid, Rice, Sebastian, Seward, Simmons, Stuart, Wilson.

Mr. Johnson, of Arkansas, from the Committee on Printing, reported in favor of printing the report of the Postmaster General, relative to alleged violations of law on the part of the postmaster at San Francisco ; and

The report was agreed to.

On motion by Mr. Johnson, of Arkansas, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 23
Nays 21

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Harlan, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Mason, Polk, Rice, Seward, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Broderick, Chandler, Collamer, Crittenden, Fessenden, Fitch, Foot, Foster, Green, Hale, Hamlin, Houston, Jones, Pugh, Reid, Sebastian, Simmons, Trumbull, Wade, Wilson.

So the Senate adjourned.

MONDAY, JUNE 14, 1858.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The House of Representatives recedes from its second amendment to the amendment of the Senate to the bill of the House (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, and it agrees to the amendment of the Senate to the title of the bill.

The House of Representatives has passed the following bill and resolution of the Senate:

S. 287. An act for the relief of Sherlock and Shirley.

S. 49. A resolution to correct an error in the "act for the relief of Stephen R. Rowan," approved June 1, 1858.

The House of Representatives has passed the following resolution, in which it requests the concurrence of the Senate:

Resolved, the Senate concurring, That the time for the adjournment of the present session of Congress shall be and is extended from 12 o'clock m. to 2½ o'clock p. m., this day.

The Speaker of the House of Representatives having signed the enrolled bill, (H. R. 582,) I am directed to bring it to the Senate for the signature of its President.

The Vice President presented the credentials of the Hon. John P. Hale, elected a senator by the legislature of New Hampshire, for the term of six years from the fourth day of March next; which were read.

The Vice President signed the enrolled bill (H. R. 582) to authorize a loan not exceeding the sum of twenty millions of dollars, and it was delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider the resolution of the House of Representatives extending the time for the adjournment of Congress; and

On motion, by Mr. Brown, to amend the resolution by striking out the words "2½ o'clock p. m. this day," and inserting 12 o'clock to-morrow.

It was determined in the affirmative.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 582) to authorize a loan not exceeding the sum of twenty millions of dollars; and that they presented to the President of the United States, the 13th instant, the following enrolled bills and joint resolution:

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1858;

H. R. 42. An act granting a pension to Mary A. M. Jones;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee ;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas ;

H. R. 650. An act granting an invalid pension to William Randolph ;

H. R. 558. An act making appropriations for the transportation of the United States mail by ocean mail steamers and otherwise during the fiscal year ending the 30th June, 1859 ;

H. R. 585. An act to establish certain post roads ;

H. R. 37. Joint resolution in regard to the carrying the United States mail from St. Joseph, Missouri, to Placerville, California.

Mr. Doolittle submitted the following resolution for consideration :

Whereas the numerous disabilities to which free persons of color of African descent are subjected in many of the free States have made it desirable, on the part of large numbers of them, to seek elsewhere a more favorable field for their labor and enterprise ; and

Whereas the same class of persons is regarded with still greater disfavor in the slaveholding States, from considerations deemed so controlling that further emancipation in many of them has been prohibited by law, unless the persons emancipated shall be at the same time removed beyond the jurisdiction of the State ; and, in some of them, the graver question is seriously entertained, whether persons of African descent, who are now free, shall not be again reduced to slavery if they continue to remain within their jurisdictions ; and

Whereas in Yucatan, and Central and South America, there are vast regions, almost uninhabited, of the most beautiful and productive countries in the world, in a climate well adapted to the constitution of the African race, to develop its greatest power and highest activity,

Therefore resolved, That the Committee on Foreign Relations be instructed to inquire into the expediency of acquiring, by treaty, in Yucatan, Central or South America, the rights and privileges of settlement and of citizenship, for the benefit of such persons of color of African descent as may voluntarily desire to emigrate from the United States and form themselves into a colony, or colonies, under the laws of the State, or States, to which they emigrate ; the United States, in consideration of the commercial advantages of free trade with such colony or colonies, making and securing the necessary and proper engagements to maintain them in the enjoyment of the rights and privileges acquired by such treaty or treaties.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the following subjects :

S. 14. Joint resolution authorizing the appointment of commissioners to examine into the difficulties in the affairs of the Territory of Utah, with a view to their settlement ;

Report of the Secretary of War in relation to the North Carolina arsenal ;

Resolution of the Senate relative to the adoption of Captain Ward's improvement in fire-arms ;

Resolution of the Senate relative to the condition of Forts Jefferson and Taylor ;

Resolution of the Senate relative to a wagon-road from Fort Benton to the Columbia river, at or near Fort Walla-Walla.

Mr. Bigler presented the petition of Richard Imlay, praying an extension of his patent for an improvement in the mode of supporting the bodies of railroad cars and carriages ; which was referred to the Committee on Patents and the Patent Office.

Mr. Sebastian, from the Committee on Indian Affairs, reported a bill (S. 458) for the relief of John Rogers, and submitted papers in relation to the claim of John Rogers.

The bill was read and passed to a second reading.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the bill (S. 372) to settle the titles to certain lands belonging to the half-breed Kansas Indians in Kansas Territory.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 302) to continue the office of register of the land office at Vincennes, Indiana, reported it without amendment.

Mr. Iverson submitted the following resolution, which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Claims be discharged from the further consideration of all the adverse reports of the Court of Claims, which have been referred to that committee.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. 550) making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes, reported it without amendment.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives disagrees to the amendments of the Senate numbered 4, 5, 6, 7 and 10, heretofore agreed to, and insists upon its disagreement to the amendments of the Senate numbered 1, 2, 3, 8 and 9, to the bill of the House (No. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, and asks a further conference on the disagreeing votes of the two Houses on the said bill, and has appointed Mr. Henry M. Phillips, Mr. Ellihu B. Washburne, and Mr. James F. Dowdell, managers at the same on its part.

The House of Representatives has agreed to the amendment of the Senate to the resolution of the House extending the time for the adjournment of Congress, with an amendment, in which it requests the concurrence of the Senate.

The President of the United States approved and signed, the 12th instant, the following acts :

H. R. 199. An act making appropriations for the naval service for the year ending the 30th of June, 1859 ;

H. R. 200. An act making appropriations for sundry civil expenses of the government for the year ending 30th June, 1859 ;

H. R. 460. An act granting a pension to Beriah Wright, of New York ;

H. R. 243. An act making appropriations for the support of the army for the year ending the 30th June, 1859 ;

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1859 ;

And he approved and signed, this day, the following acts :

H. R. 42. An act granting a pension to Mary A. M. Jones ;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory ;

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs ;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee ;

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858 ;

H. R. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859 ;

H. R. 585. An act to establish certain post roads ;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas ;

H. R. 650. An act granting an invalid pension to William Randolph.

The Senate proceeded to consider its amendments to the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, disagreed to by the House of Representatives ; and

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President ; and

Mr. Hunter, Mr. Yulee, and Mr. Collamer were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the amendment of the Senate to the resolution of the House extending the time for the adjournment of Congress ; and

On the question to agree to the amendment of the House, viz: Strike out "12 o'clock to-morrow" and in lieu thereof insert 6 o'clock p. m. this day,

It was determined in the affirmative.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 287) for the relief of Sherlock and Shirley and the joint resolution (S. 49) to correct an error in the act for the relief of Stephen R. Rowan, approved June 1, 1858.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 582) to authorize a loan not exceeding the sum of twenty millions of dollars.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (S. 287) and an enrolled resolution (S. 49) I am directed to bring them to the Senate for the signature of its president.

The Vice President signed the enrolled bill (S. 287) and the enrolled resolution (S. 49) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, information relative to the claim of the St. Regis Indians to land in Kansas ; which was read.

Ordered, That it be printed.

Mr. Jones reported from the committee that they had presented to the President of the United States this day the following enrolled bill and joint resolution :

S. 287. An act for the relief of Sherlock and Shirley ;

S. 49. A resolution to correct an error in the act for the relief of Stephen R. Rowan, approved June 1, 1858.

Mr. Hunter, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, reported that, "having met, after a full and free conference, they have agreed to recommend, and do recommend, to the respective Houses as follows :

That the Senate recede from their 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, and 10th amendments.

R. M. T. HUNTER,

D. L. YULEE,

Managers on the part of the Senate.

HENRY M. PHILLIPS,

E. B. WASHBURNE,

J. F. DOWDELL,

Managers on the part of the House of Representatives."

The Senate proceeded to consider the report ; and

On motion by Mr. Hunter that the Senate agree to the report,

It was determined in the affirmative, { Yeas..... 33
Nays..... 17

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bigler, Bright, Chandler, Clingman, Col-

lamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Harlan, Houston, Hunter, Kennedy, King, Mallory, Mason, Pearce, Polk, Reid, Seward, Simmons, Thompson, of Kentucky, Trumbull, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Broderick, Brown, Clay, Davis, Douglas, Fitch, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Pugh, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wade.

So it was

Resolved, That the Senate concur in the report of the committee of conference on the disagreeing votes of the two Houses on the said bill.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the act (S. 287) for the relief of Sherlock and Shirley, and the joint resolution (S. 49) to correct an error in the "Act for the relief of Stephen R. Rowan," approved June 1, 1858.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has passed a bill (H. R. 652) to repeal the second section of the act entitled "An act to establish certain post roads," approved June 14, 1858, in which it requests the concurrence of the Senate.

The bill (H. R. 652) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Bayard that the Senate proceed to the consideration of the bill (H. R. 59) in relation to courts, and the holding of the terms thereof, in the several Territories of the United States,

It was determined in the affirmative, { Yeas 41
Nays 5

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Chandler, Clay, Clingman, Collamer, Crittenden, Doolittle, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Harlan, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, King, Mallory, Pearce, Polk, Pugh, Reid, Rice, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Brown, Hale, Hammond, Mason, Slidell.

Whereupon

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Slidell submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That all subjects before the Senate at the close of the present session, including those before committees, shall be continued to the next session, and shall then be proceeded with in the same manner as if no adjournment of the Senate had taken place, and the papers which have been referred to the committees, and may be in their possession at the close of the session, shall be returned informally to the Secretary, and by him restored to the committees when appointed at the next session.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (H. R. 556) I am directed to bring it to the Senate for the signature of its president.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859.

The Vice President signed the enrolled bill (H. R. 556) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 556) making appropriations for the services of the Post Office Department during the fiscal year ending the 30th of June, 1859.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a resolution for the appointment of a committee, to join such committee as may be appointed by the Senate, to wait on the President of the United States and inform that, if he has no further communication to make, the two Houses are now ready to close the present session of Congress; and it has appointed Mr. Samuel A. Smith, Mr. John C. Kunkel, and Mr. Keitt, the committee on its part.

The Senate proceeded to consider the resolution of the House of Representatives last mentioned; and

On motion by Mr. Bigler,

Ordered, That a committee be appointed on the part of the Senate, to join the committee appointed by the House of Representatives, to wait on the President of the United States and inform him that, if he has no further communication to make, the two Houses are ready to close the present session of Congress.

On motion by Mr. Bigler,

Ordered, That the committee on the part of the Senate be appointed by the Vice President; and

Mr. Bigler and Mr. Foot were appointed.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President: The President of the United States this day approved and signed the following acts :

S. 127. An act to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825 ;

S. 277. An act for the relief of Albert G. Allen.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives (H. R. 650) granting an invalid pension to William Randolph was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

The bill from the House of Representatives (H. R. 340) providing an increase of pension to Peter Van Buskirk, of Washington city, in the District of Columbia, was read the first and second times, by unanimous consent, and referred to the Committee on Pensions.

The Senate resumed the consideration of the bill (H. R. 42) granting a pension to Mary A. M. Jones.

An amendment to the bill allowing a pension to Myra Clark Gaines having been made, and amended by striking out "half the pay proper per month to which the said Gaines was entitled at his death" and inserting in lieu thereof: *not exceeding fifty dollars per month.*

A motion was made by Mr. Crittenden, to amend the bill by adding the following section :

SEC. —. *And be it further enacted, That the name of Jane Turnbull, the widow of the late Lieutenant Colonel William Turnbull, be placed on the pension roll, as a pensioner for life, at the rate of fifty dollars monthly.*

On motion by Mr. Mallory,

The proposed amendment was amended by striking out "fifty dollars monthly" and inserting: *the half-pay proper to which Lieutenant Colonel William Turnbull was entitled at the time of his death.*

The amendment, as amended, was agreed to.

On motion by Mr. Mallory, to amend the bill by adding thereto :

That the Secretary of the Interior be directed to place the name of Jane Perry, widow of the late Commodore Matthew C. Perry, on the pension roll, at the rate of fifty dollars per month, to commence from the fourth day of March, eighteen hundred and fifty-eight.

It was determined in the affirmative.

On motion by Mr. Thomson, of New Jersey, to amend the bill by adding :

And that the name of Ann Smith, of Louisiana, be, and the same is hereby, placed upon the pension list of the United States, and that the Secretary of the Interior pay or cause to be paid to the said Ann Smith the sum of fifty dollars per month, commencing from the date of the death of her husband, General Persifer F. Smith, of the United States army,

It was determined in the affirmative.

On motion by Mr. Iverson, to amend the said amendment by inserting :

And that Mrs. McComb, the widow of General Alexander McComb, deceased, shall likewise be entitled to a pension during her life, at the rate of fifty dollars per month, to commence from the date of her said husband's death,

It was determined in the affirmative.

On motion by Mr. Toombs, to amend the amendment by inserting :

And that the widows of all soldiers who have heretofore died or who may hereafter die in the military service of the United States shall be put upon the pension roll at the rate of fifty dollars per month during their natural lives, deducting all pensions heretofore paid to such widows,

On motion,

Ordered, That the further consideration of the bill be postponed until to-morrow.

Mr. Mallory, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, reported that, after full and free conference, they have agreed to recommend and do recommend to their respective Houses as follows :

That the Senate do recede from its 1st and 5th amendments;

That the House do recede from its disagreement to the 2d and 3d amendments of the Senate ;

That the House do recede from its disagreement to the 10th amendment of the Senate, and agree to said amendment with an amendment as follows :

Strike out "first day of July, 1856," and insert the words : *passage of this act.*

That the Senate do agree to the amendment of the House to its 14th amendment.

S. R. MALLORY,
SOLOMON FOOT,
J. P. BENJAMIN,

Managers on the part of the Senate.

THOMAS S. BOCOCK,
JOHN KELLY,
F. H. MORSE,

Managers on the part of the House.

A message from the House of Representatives by Mr. Allen its Clerk :

Mr. President : The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 460,) I am directed to bring it to the Senate for the signature of its president.

The Vice President signed the enrolled bill (H. R. 460) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

On motion by Mr. Pugh, that the Senate adjourn,

It was determined in the Negative, { Yeas 9
Nays 15

On motion by Mr. Johnson, of Arkansas,

The yeas and nays being desired by one-fifth of the Senators present.

Those who voted in the affirmative are,

Messrs. Broderick, Brown, Fessenden, Harlan, Kennedy, Mallory, Pugh, Slidell, Toombs.

Those who voted in the negative are,
Messrs. Bayard, Benjamin, Bigler, Bright, Collamer, Davis, Foot,
Gwin, Houston, Johnson, of Arkansas, Reid, Sebastian, Simmons,
Stuart, Thomson, of New Jersey.

A quorum of the Senate not voting,
On motion by Mr. Seward, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 12
Nays..... 11

On motion by Mr. Johnson, of Arkansas,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Benjamin, Broderick, Brown, Fessenden, Harlan, Houston,
Hunter, King, Mallory, Pugh, Reid, Toombs.

Those who voted in the negative are,
Messrs. Bayard, Bright, Collamer, Davis, Foot, Gwin, Johnson, of
Arkansas, Sebastian, Simmons, Stuart, Wilson.

Whereupon,
The Senate adjourned.

SATURDAY, JUNE 12, 1858.

A message from the House of Representatives by Mr. Allen, its
Clerk:

Mr. President: The House of Representatives agrees to some and
disagrees to other amendments of the Senate to the bill (H. R. 556)
making appropriations for the service of the Post Office Department
during the fiscal year ending the 30th of June, 1859.

The House of Representatives has agreed to the report of the com-
mittee of conference on the disagreeing votes of the two Houses on the
bill (H. R. 243) making appropriations for the support of the army
for the year ending the 30th of June, 1859.

The House of Representatives has agreed to the report of the com-
mittee of conference on the disagreeing votes of the two Houses on the
bill (H. R. 557) making supplemental appropriations for the current
and contingent expenses of the Indian department, and for fulfilling
treaty stipulations with various Indian tribes, for the year ending the
30th of June, 1859.

The House of Representatives disagrees to the report of the commit-
tee of conference on the disagreeing votes of the two Houses on the
bill (H. R. 199) making appropriations for the naval service for the
year ending the 30th of June, 1859, and asks a further conference on
the said disagreeing votes; and has appointed Mr. Warren Winslow,
Mr. W. S. Groesbeck, and Mr. E. B. Washburne, managers at the
same on its part.

The Speaker of the House of Representatives having signed an en-
rolled bill, (H. R. 200,) I am directed to bring it to the Senate for the
signature of its President.

Mr. Rice reported from the committee that they had examined and
found duly enrolled the bill (H. R. 200) making appropriations for
sundry civil expenses of the government for the year ending the 30th
of June, 1859.

The Senate proceeded to consider its amendments to the bill (H. R.

556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, disagreed to by the House of Representatives ; and,

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President ; and

Mr. Gwin, Mr. Crittenden, and Mr. Johnson, of Arkansas, were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President signed the enrolled bill (H. R. 200) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

Mr. Davis, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 243) making appropriations for the support of the army for the year ending June 30, 1859, submitted the following report :

“ That the Senate recede from their 16th, 17th, 18th, 20th, 21st, 24th, 27th, 28th, 29th, 32d, 34th, 35th, 45th, 46th, 47th, 48th and 49th amendments, disagreed to by the House ;

That the House recede from their disagreement to, and concur in, the 1st, 19th, 36th, 38th, 40th and 43d amendments of the Senate ;

That the House recede from their disagreement to the 3d amendment of the Senate, and concur in the same, with the following amendment : In the 4th line of said amendment, strike out “ forty-five ” and insert *twenty-five* ;

That the House recede from their disagreement to the 4th amendment of the Senate, and concur in the same, with the following amendment : In line 10 of said amendment of the Senate, strike out all after the word “ war ” to the end of the amendment, and insert in lieu thereof the following : *and at his discretion in applying to the old or new arms any recent improvement in the mode of priming* ;

That the House recede from their disagreement to the 22d amendment of the Senate, and concur in the same, with the following amendment : Strike out “ fifty ” and insert *forty* ;

That the House recede from their disagreement to the 23d amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 25th amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 26th amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one-hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 30th amendment of the Senate, and concur in the same, with the following amendment : Strike out “ one hundred ” and insert *seventy-five* ;

That the House recede from their disagreement to the 31st amend-

ment of the Senate, and concur in the same, with the following amendment: Strike out "two hundred" and insert *one hundred and fifty*;

That the House recede from their disagreement to the 33d amendment of the Senate, and concur in the same, with the following amendment: Strike out "one hundred and fifty thousand" and insert *one hundred and twelve thousand five hundred*;

That the House recede from their disagreement to the 37th amendment of the Senate, and concur in the same, with the following amendment: Strike out "fifty" and insert *thirty*;

That the House recede from their disagreement to the 42d amendment of the Senate, and concur in the same, with the following amendment: In the 4th line of said amendment strike out the words "for printing;"

That the Senate recede from their disagreement to the amendment of the House to the 41st amendment of the Senate, and concur in the same.

JEFFERSON DAVIS,
JOHN SLIDELL,
J. COLLAMER,

Managers on the part of the Senate.

J. A. QUITMAN,
MARTIN J. CRAWFORD,
B. STANTON,

Managers on the part of the House."

The Senate proceeded to consider the said report; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bright, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 557) "making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th June, 1859," submitted the following report:

That the Senate recede from its 26th, 27th, 28th, and 29th, amendments;

"That the Senate recede from its disagreement to the amendment of the House to its 30th amendment, and concur in the same;

That the House recede from its disagreement to the 3d amendment of the Senate, and agree to the same, with an amendment as follows:

In the fourth line of said amendment, strike out the word "March" and insert *August*.

J. D. BRIGHT,
W. K. SEBASTIAN,
H. M. RICE,

Managers on the part of the Senate.

GEO. S. HOUSTON,
B. F. LEITER,
JAMES B. CLAY,

Managers on the part of the House."

The Senate proceeded to consider the said report; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives concurs in the resolution of the Senate for a suspension of the 16th and 17th joint rules of the two Houses for the remainder of the present session.

Mr. Clay, from the Committee on Pensions, to whom was referred the bill (H. R. 230) for the relief of Mary Bennett, reported it without amendment, and that it ought not to pass.

The following message was received from the President of the United States, by Mr. Henry, his secretary :

To the Senate and House of Representatives :

I feel it to be an indispensable duty to call your attention to the condition of the treasury. On the 19th day of May last the Secretary of the Treasury submitted a report to Congress "on the present condition of the finances of the government." In this report he states that, after a call upon the heads of departments, he had received official information that the sum of \$37,000,000 would probably be required during the first two quarters of the next fiscal year, from the 1st of July until the 1st of January. "This sum," the Secretary says, "does not include such amounts as may be appropriated by Congress over and above the estimates submitted to them by the departments, and I have no data on which to estimate for such expenditures. Upon this point Congress is better able to form a correct opinion than I am."

The Secretary then estimates that the receipts into the treasury, from all sources, between the 1st of July and the 1st of January, would amount to \$25,000,000, leaving a deficit of \$15,000,000, inclusive of the sum of about \$3,000,000, the least amount required to be in the treasury at all times to secure its successful operation. For this amount he recommends a loan. This loan, it will be observed, was required, after a close calculation, to meet the estimates from the different departments, and not such appropriations as might be made by Congress over and above these estimates.

There was embraced in this sum of \$15,000,000, estimates to the amount of about \$1,750,000 for the three volunteer regiments, authorized by the act of Congress approved April 7, 1858; for two of which, if not for the third, no appropriation will now be required. To this extent a portion of the loan of \$15,000,000 may be applied to pay the appropriations made by Congress beyond the estimates from the different departments, referred to in the report of the Secretary of the Treasury.

To what extent a probable deficiency may exist in the treasury between the 1st July and the 1st January next, cannot be ascertained until the appropriation bills, as well as the private bills containing appropriations, shall have finally passed.

Adversity teaches useful lessons to nations as well as individuals. The habit of extravagant expenditures, fostered by a large surplus in the treasury, must now be corrected, or the country will be involved in serious financial difficulties.

Under any form of government extravagance in expenditure must be the natural consequence, when those who authorize the expenditure feel no responsibility in providing the means of payment. Such had been for a number of years our condition previously to the late monetary revulsion in the country. Fortunately, at least for the cause of public economy, the case is now reversed; and to the extent of the appropriations, whatever these may be, engrafted on the different appropriation bills, as well as those made by private bills, over and above the estimates of the different departments, it will be necessary for Congress to provide the means of payment before their adjournment. Without this, the treasury will be exhausted before the first of January, and the public credit will be seriously impaired. This disgrace must not fall upon the country.

It is impossible for me, however, now to ascertain this amount; nor does there at present seem to be the least probability that this can be done, and the necessary means provided by Congress to meet any deficiency which may exist in the treasury before Monday next at 12 o'clock, the hour fixed for adjournment, it being now Saturday morning at half past 11 o'clock. To accomplish this object, the appropriation bills, as they shall have finally passed Congress, must be before me, and time must be allowed to ascertain the amount of the moneys appropriated, and to enable Congress to provide the necessary means. At this writing it is understood that several of these bills are yet before the committee of conference, and the amendments to some of them have not even been printed.

Foreseeing that such a state of things might exist at the close of the session, I stated, in the annual message to Congress of December last, that "from the practice of Congress such an examination of each bill as the Constitution requires has been rendered impossible. The most important business of each session is generally crowded into its last hours, and the alternative presented to the President is either to violate the constitutional duty which he owes to the people and approve bills which, for want of time, it is impossible he should have examined, or, by his refusal to do this, subject the country and individuals to great loss and inconvenience.

* * * * *

"For my own part, I have deliberately determined that I shall approve no bills which I have not examined; and it will be a case of extreme and most urgent necessity which shall ever induce me to depart from this rule."

The present condition of the treasury absolutely requires that I should adhere to this resolution on the present occasion, for the reasons which I have heretofore presented.

In former times it was believed to be the true character of an appropriation bill simply to carry into effect existing laws and the established policy of the country. A practice has, however, grown up of late years to engraft on such bills, at the last hours of the session, large appropriations for new and important objects, not provided for by pre-existing laws, and when no time is left to the Executive for their examination and investigation. No alternative is thus left to the

President but either to approve measures without examination, or, by vetoing an appropriation bill, seriously to embarrass the operations of the government. This practice could never have prevailed without a surplus in the treasury sufficiently large to cover an indefinite amount of appropriations. Necessity now compels us to arrest it, at least so far as to afford time to ascertain the amount appropriated, and to provide the means of its payment.

For all these reasons, I recommend to Congress to postpone the day of adjournment for a brief period. I promise that not an hour shall be lost in ascertaining the amount of appropriations made by them for which it will be necessary to provide. I know it will be inconvenient for the members to attend a called session, and this, above all things, I desire to avoid.

JAMES BUCHANAN.

WASHINGTON CITY, *June 12, 1858.*

The message was read.

Ordered, That it be referred to the Committee on Printing.

Mr. Johnson of Arkansas, from the Committee on Printing, to whom was referred the message of the President of the United States this day laid before the Senate, reported in favor of printing the same; and

The report was agreed to.

The Senate resumed the consideration of the resolution reported from the Committee on the Judiciary, declaring the Honorable Jesse D. Bright and the Honorable Graham N. Fitch, senators in Congress from the State of Indiana, entitled to their seats in the Senate.

A motion was made by Mr. Hamlin to amend the resolution by striking out all after the word "Resolved," and inserting:

That the case of Jesse D. Bright and Graham N. Fitch be committed to the Committee on the Judiciary, with instructions to report specially the grounds on which the resolution is based declaring said Bright and Fitch elected.

On motion by Mr. Trumbull to amend the proposed amendment by striking out all after the word "That" and inserting *in the opinion of the Senate, no election of a member of this body made by the legislature of a State consisting of two branches is valid, when made in a meeting of individual members of both, unless such meeting for that purpose was prescribed by law or had been previously agreed to by each House acting separately in its organized capacity, or is participated in by a majority of the members of each House, or is subsequently ratified in some form by each House in its organized capacity.*

It was determined in the negative, { Yeas..... 17
Nays 26

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Davis,

Fitzpatrick, Green, Gwin, Hammond, Hayne, Iverson, Jones, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Toombs, Wright, Yulee.

On the question to agree to the amendment proposed by Mr. Hamlin,

It was determined in the negative, { Yeas..... 16
Nays 34

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Broderick, Brown, Clay, Clingman, Collamer, Fitzpatrick, Green, Gwin, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Mason, Pearce, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

So the amendment was not agreed to.

On motion by Mr. Trumbull, to amend the resolution by inserting after the word "are" and before the word "entitled" the word *not*,

It was determined in the negative, { Yeas..... 23
Nays..... 30

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, King, Mason, Pearce, Seward, Simmons, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Hayne, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, Mallory, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Wright, Yulee.

No further amendment being proposed, the resolution reported by the Committee on the Judiciary was then agreed to, as follows:

Resolved, That Graham N. Fitch and Jesse D. Bright, senators returned and admitted from the State of Indiana, are entitled to the seats which they now hold in the Senate as such senators aforesaid, the former until the 4th of March, 1861, and the latter until the 4th of March, 1863, according to the tenor of their respective credentials.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859; and

On the question to agree to the following recommendation of the committee, viz: "That the Senate do agree to the amendment of the House to its fourteenth amendment;" which amendment is, to strike

out of the said amendment of the Senate the word "five," and insert *ten*, before the words "steam screw sloops of war."

It was determined in the negative, { Yeas..... 26
Nays..... 30

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Bright, Brown, Clingman, Crittenden, Douglas, Fitch, Green, Gwin, Hammond, Hayne, Iverson, Johnson, of Arkansas, Kennedy, Mallory, Mason, Reid, Sebastian, Simmons, Slidell, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Broderick, Chandler, Clark, Collamer, Davis, Dixon, Doolittle, Durkee, Fessenden, Fitzpatrick, Foot, Foster, Hale, Hamlin, Harlan, Houston, Hunter, Johnson, of Tennessee, Jones, King, Pearce, Polk, Pugh, Rice, Seward, Stuart, Toombs, Trumbull, Wade, Wilson.

On motion by Mr. Hunter,

Resolved, That the Senate insist upon its amendments to the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, disagreed to by the House of Representatives, disagree to the amendment of the House to the 14th amendment of the Senate to the said bill, and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

On motion,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Pearce, Mr. Thomson, of New Jersey, and Mr. Foster were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Hale,

Ordered, That the select committee on the Military Asylum have leave to report at the next session of Congress.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, (H. R. 557 and H. R. 243,) I am directed to bring them to the Senate for the signature of its president.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 243. An act making appropriations for the support of the army for the year ending the 30th of June, 1859;

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1859.

The Vice President signed the two enrolled bills (H. R. 243 and H. R. 557) last mentioned, and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed the consideration of the bill (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858.

An amendment having been proposed by Mr. Houston,

A division of the same was called for by Mr. Green; and the question being taken on agreeing to the first clause thereof, as follows:

SEC. —. *And be it further enacted, That the superintendent and agents within the superintendency of Texas shall be hereafter appointed in the same manner as other superintendents and agents are appointed and confirmed,*

It was determined in the affirmative, { Yeas..... 22
Nays 14

On motion by Mr. Houston,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Broderick, Chandler, Clingman, Collamer, Fitzpatrick, Foster, Green, Harlan, Hayne, Houston, Johnson, of Tennessee, Kennedy, Polk, Reid, Rice, Simmons, Thompson, of Kentucky, Trumbull, Wade, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Clay, Davis, Fessenden, Fitch, Foot, Hamlin, Hunter, Iverson, Mason, Pugh, Sebastian, Stuart.

On the question to agree to the second clause thereof, as follows:

And the Witchetaw agency is hereby attached to the superintendency of Texas,

It was determined in the negative, { Yeas..... 15
Nays 22

On motion by Mr. Houston,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Broderick, Fitzpatrick, Harlan, Houston, Johnson, of Tennessee, Kennedy, King, Polk, Reid, Simmons, Thompson, of Kentucky, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Clay, Clingman, Davis, Fessenden, Fitch, Foot, Foster, Green, Hamlin, Hunter, Iverson, Johnson, of Arkansas, Mason, Pearce, Pugh, Rice, Sebastian, Slidell, Stuart, Wright.

The bill, having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The bill was read a third time as amended.

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the *second and third* amendments, and disagrees to the *fourth* amendment of the Senate to the bill (H. R. 466) making appropriations for the expenses

of collecting the revenue from customs, and it agrees to the *first* amendment of the Senate to the said bill, with an amendment, in which it requests the concurrence of the Senate.

Mr. Yulee, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, reported that the committee were unable to agree.

The Senate proceeded to consider its amendments to the said bill (H. R. 558) disagreed to by the House of Representatives; and

On motion by Mr. Yulee,

Resolved, That the Senate insist on its amendments to said bill, and ask a further conference on the disagreeing votes of the two Houses thereon.

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Hammond, Mr. Hale, and Mr. Mallory were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 585) to establish certain post roads, reported it with amendments.

The Senate proceeded to consider the said bill (H. R. 585) as in Committee of the Whole; and, the reported amendments having been agreed to, the bill was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives insists upon its disagreement to certain amendments of the Senate to the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Henry C. Burnett, Mr. Charles Billingham, and Mr. Erastus Corning, managers at the same on its part.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills:

H. R. 460. An act granting an invalid pension to Beriah Wright, of New York.

H. R. 200. An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859.

H. R. 243. An act making appropriations for the support of the army for the year ending 30th June, 1859.

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian Department, and for

fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859.

Mr. Clay submitted the following resolution, which was considered, by unanimous consent, and agreed to.

Resolved, That the President be, and he is hereby, requested to communicate to the Senate, as soon after the commencement of the next session of Congress as possible, the amount of money paid for pensions in each of the States and Territories since the commencement of the present government, discriminating between the army and navy pensions; and that he also state the aggregate amount paid by the United States for pensions of both kinds in all the States and Territories.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives insists upon its disagreement to the amendments of the Senate to the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, agrees to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. Daniel E. Sickles, Mr. Richard Mott, and Mr. M. R. H. Garnett, managers of the same on its part.

The Senate proceeded to consider their amendments to the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, amended and disagreed to by the House of Representatives; and

On the question to agree to the following amendment of the House to the 1st amendment of the Senate, viz: line 5, strike out the word "five" and insert the word *eight*,

It was determined in the affirmative, {	Yeas.....	29
	Nays.....	13

On motion by Mr. Wilson,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Broderick, Brown, Clay, Clingman, Fitch, Fitzpatrick, Gwin, Hammond, Hayne, Houston, Hunter, Johnson, of Arkansas, Jones, Mallory, Mason, Pearce, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Thomson, of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Bell, Chandler, Collamer, Crittenden, Fessenden, Foot, Foster, Harlan, Johnson, of Tennessee, King, Simmons, Trumbull, Wade.

On motion by Mr. Hunter,

That the Senate insist on their 4th amendment, disagreed to by the House of Representatives,

It was determined in the affirmative.

On motion by Mr. Hunter,

Resolved, That the Senate ask a conference on the disagreeing votes of the two Houses on the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs.

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President.

The Vice President appointed Mr. Hunter, Mr. Bright, and Mr. Wade, the committee.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives have appointed Mr. John C. Kunkel a manager of the conference on the disagreeing votes of the two Houses of Congress upon the amendments of the Senate to the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers, and otherwise, during the fiscal year ending the 30th of June, 1859, in the place of Mr. Richard Mott, excused.

Mr. Pearce, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859, reported that they have agreed to recommend, and do recommend, to their respective Houses as follows :

That the House do recede from their disagreement to the 10th amendment of the Senate, and agree to said amendment with an amendment, as follows : Insert the word "and" between the words clerks and messengers, in the third line, and strike out the words "and watchmen" in the fourth line.

That the House do recede from their amendment to the 14th amendment of the Senate, and agree to said amendment with an amendment, as follows : Strike out the word "five" in the 3d line and insert the word *seven*.

J. A. PEARCE,

L. F. S. FOSTER,

JNO. R. THOMSON,

Managers on the part of the Senate.

WARREN WINSLOW,

E. B. WASHBURNE,

W. S. GROESBECK,

Managers on the part of the House.

The Senate proceeded to consider the report ; and

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Fitch

Ordered, That the papers in the case of C. Alexander and T. Barnard, on the files of the Senate, be referred to the Court of Claims.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr President : The House of Representatives has passed a bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, in which it requests the concurrence of the Senate.

The House of Representatives agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the bill

(H. R. 199) making appropriations for the naval service for the year ending the 30th of June, 1859.

The bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars was read the first and second times, by unanimous consent, and considered as in the Committee of the Whole, and having been amended, it was reported to the Senate and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill, as amended, was read a third time, by unanimous consent.

Resolved, That it pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 345) for the relief of Nancy Magill, of Ohio, and no amendment being made it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bayard, from the Committee on the Judiciary, to whom was referred the bill (S. 412) supplemental to an act for the admission of the State of Minnesota into the Union, reported it with an amendment.

The Senate proceeded to consider as in Committee of the Whole, the said bill, (S. 412 ;) and, the reported amendment having been agreed to, the bill was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That it pass and that the title be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed the bill of the Senate (S. 424) for the relief of Georgiana M. Lewis.

On motion by Mr. Wright

Ordered, That Catherine Keller have leave to withdraw her petition and papers.

Mr. Clark submitted the following resolution ; which was considered, by unanimous consent, and referred to the Committee on Naval Affairs :

Resolved, That the Secretary of the Navy be directed to cause the invention of Samuel Gardner, jr., for making signal lights on vessels at sea and in harbors by electricity, to be tested, and that he report the result at the commencement of the next session of Congress.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 631) granting an invalid pension to John Holland, of

Arkansas, and no amendment being made it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Foster, from the Committee on Pensions, to whom was referred the bill (H. R. 650) granting an invalid pension to William Randolph, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Gwin, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, reported: That they had met the conferees on the part of the House of Representatives, and that the conferees were unable to agree.

On motion by Mr. Gwin,

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and ask a further conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Gwin,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President; and

Mr. Toombs, Mr. Brown, and Mr. Collamer, were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the resolution submitted by Mr. Green the 28th of May, relative to collection districts; and, having been amended, the resolution was agreed to as follows:

Resolved, That the Secretary of the Treasury be requested to report to the Senate, at the commencement of the next session of Congress, a full and complete list of all collection districts for the collection of duties on imports, showing in each district—

1st. The amount of revenue annually collected; the name of every person employed directly or indirectly connected with the collection of the revenue, either as officer or agent, and the amount of compensation paid to each; and the law under which each officer or agent was appointed. 2d. The amount expended for salaries of officers and employés annually. And 3d. The amount expended for custom-houses or rents of offices and warehouses. Also, that he state what custom-houses or ports of entry or delivery can be dispensed with, with a proper regard to economy and the security of the collection of the revenue, and consistently with commercial interests; or what modifica-

tions of the laws are necessary for the public interests in relation to the collection of customs, and what number of officers can be dispensed with in each of the several collection districts.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 513) granting an invalid pension to William Howell, of Tennessee; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the letter of W. Rekyan Bey, with his account of the dromedary, its treatment and uses, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate, in addition to the usual number, two thousand copies of the letter of W. Rekyan Bey to Edward de Leon, esq., consul general of the United States in Egypt, on the treatment and use of the dromedary.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Treasury relative to the fees or charges of the consul general for Canada, on goods imported into the United States from Canada, reported in favor of printing the report; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the report of the Secretary of the Navy relative to cost of building and repairing vessels of war, reported in favor of printing the report; and

The report was agreed to.

Mr. Johnson, of Arkansas, from the Committee on Printing, to whom was referred a motion to print the message of the President in relation to the Isthmus of Tehuantepec, reported in favor of printing the message; and

The report was agreed to.

Mr. Fitch, from the Committee on Post Offices and Post Roads, to whom was referred the joint resolution (H. R. 37) in regard to carrying the United States mails from St. Joseph, Missouri, to Placerville, California, reported it without amendment.

Mr. Davis, from the Committee on Military Affairs and the Militia, reported a joint resolution (S. 53) directing the printing of certain reports therein mentioned, which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 56) making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The House of Representatives insists upon its disagreement to the fourth amendment of the Senate to the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, agrees to the conference asked by the Senate upon the disagreeing votes of the two Houses thereon, and has appointed Mr. John Cochrane, Mr. Warner L. Underwood, and Mr. Charles L. Scott, managers at the same on its part.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 424) for the relief of Georgiana M. Lewis.

On motion by Mr. Clay,

Ordered, That the Senate take a recess until seven o'clock.

SEVEN O'CLOCK, P. M.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills (S. 424 and H. R. 345) I am directed to bring them to the Senate for the signature of its president.

The Vice President signed the two enrolled bills (S. 424 and H. R. 345) last mentioned, and they were delivered to the committee to be presented to the President of the United States.

Mr. Hammond, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 558) making appropriations for the transportation of the United States mails by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859, reported that they have agreed to recommend, and do recommend, to their respective Houses as follows:

"That the Senate do recede from its 1st amendment.

That the House do recede from its non-concurrence in the 3d amendment of the Senate, and concur in said amendment with amendments as follows:

Insert the word *new* between the word "other" and the word "contract" at the end of the third line of said amendment; strike out the word "five" in the fifth line of said third amendment, and insert the word *two* in lieu thereof; and add at the end of said amendment the words, *nor for any other compensation than the sea and inland postages on the mails so transported*.

That the House do recede from its non-concurrence in the 4th amendment of the Senate.

That the Senate do recede from its fifth amendment.

J. H. HAMMOND,
S. R. MALLORY,
JOHN P. HALE,

Managers on the part of the Senate.

D. E. SICKLES,
M. R. H. GARNETT,
JOHN C. KUNKEL,

Managers on the part of the House.

The Senate proceeded to consider the report ; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (H. R. 199) I am directed to bring it to the Senate for the signature of its president.

The Vice President signed the enrolled bill (H. R. 199) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

Mr. Wright, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution relative to the price to be allowed for binding the Congressional Globe and Appendix for the 34th Congress, submitted an adverse report (No. 327) thereon ; which was ordered to be printed.

The Vice President laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, certain papers relative to alleged violations of law and malfeasance in office on the part of the postmaster at San Francisco ; which was read.

Ordered, That it be referred to the Committee on Post Offices and Post Roads.

On motion that the report be printed.

Ordered, That it be referred to the Committee on Printing.

The Vice President laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, information respecting the purchase and distribution of certain books by the Post Office Department ; which was read.

Ordered, That it lie on the table.

Mr. Pearce, from the Committee on the Library, to whom the subject was referred, reported a bill (S. 456) to furnish the Court of Claims with law books and congressional documents ; which was read and passed to a second reading.

Mr. Pearce also submitted a report (No. 328) on the subject ; which was ordered to be printed.

On motion by Mr. Pearce,

Ordered, That the Committee on the Library be discharged from the further consideration of the joint resolution (S. 44) to grant to

the judges and solicitor of the Court of Claims the use of the Congressional Library, and for other purposes.

Mr. Iverson submitted the following resolution for consideration:

Whereas it is expected that the Senate will occupy the new hall preparing for its use at the next session, and, to prevent confusion in the assignment of seats therein:

Be it resolved, That the choice of seats therein shall be determined and regulated as follows: The senators shall be divided into three equal classes. The first class shall consist of those who have been longest in continual service in the Senate, who shall first draw for choice of seats amongst themselves; the second class shall consist of those who have served continuously for the next longest time in the Senate, who shall draw for choice of seats amongst themselves; the remaining number shall draw for choice of seats amongst themselves; and in each case the drawing shall be conducted in the usual manner.

Mr. Benjamin, from the Committee on Private Land Claims, to whom was referred the petition of Henry M. Fleury and others, submitted a report, (No. 329,) accompanied by a bill (S. 457) for the relief of Henry M. Fleury, of Louisiana.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 345. An act for the relief of Nancy Magill, of Ohio;

H. R. 199. An act making appropriations for the naval service for the year ending the 30th of June, 1859;

H. R. 650. An act granting an invalid pension to William Randolph;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 218) for the benefit of the captors of the British brig *Caledonia*, in the war of 1812; and, having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill, as amended, was read the third time.

On the question, "Shall the bill pass?"

It was determined in the affirmative, { Yeas..... 29
Nays 9

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Bright, Broderick, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hamlin, Harlan, Hayne, Houston, Iverson, Kennedy, Mallory, Pugh, Seward, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,
Messrs. Bayard, Fitch, Fitzpatrick, Johnson, of Tennessee, King,
Polk, Reid, Slidell, Stuart.

So it was

Resolved, That the bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives concur in the amendments of the Senate to the bill (H. R. 585) to establish certain post roads.

It insists on its non-concurrence in the amendments of the Senate to the bill (H. R. 556) entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859," insisted on by the Senate, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses, and has appointed Mr. Henry M. Phillips, Mr. John M. Wood, and Mr. William W. Boyce, managers at the same on its part.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of its president.

The Vice President signed the following enrolled bills :

H. R. 650. An act granting an invalid pension to William Randolph ;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory.

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee.

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives has appointed Mr. John V. Wright on the committee of conference on the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th June, 1859, in the place of Mr. William W. Boyce.

The House of Representatives has passed a bill (H. R. 550) making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes ; in which it requests the concurrence of the Senate.

The bill last mentioned from the House of Representatives (H. R. 550) was read the first and second times, by unanimous consent, and referred to the Committee on Commerce.

The Senate resumed the consideration of the bill (H. R. 42) granting a pension to Mary A. M. Jones.

On motion by Mr. Stuart, and by unanimous consent, the bill was amended by striking out the several amendments providing relief for Myra Clark Gaines, Ann Smith, of Louisiana, Mrs. Macomb, widow of General Alexander Macomb, deceased, and Jane Turnbull.

On motion by Mr. Stuart, the vote was reconsidered, agreeing to

the amendment to the bill, lines 7, 8, striking out the words "of one-half the pay monthly to which her late husband was entitled at the time of his death" and inserting in lieu thereof, *of fifty dollars per month*, and

The question recurring on agreeing to the said amendment,
It was determined in the negative.

On motion by Mr. Johnson, of Tennessee, to amend the bill by inserting at the end thereof the following :

SEC. —. *And be it further enacted, That there be paid to Mrs. Mary Kirby Smith, widow of the late Captain E Kirby Smith, of the United States army, a sum which, added to the pay to which she is entitled under the pension act, as widow of a captain, will equal the half-pay of a lieutenant colonel, this latter rank being the capacity in which said Captain Smith was serving at the time he received a mortal wound in leading on his battalion to the decisive charge, at the battle of Molina del Rey, in Mexico,*

It was determined in the negative, { Yeas..... 9
Nays 25

On motion by Mr. Johnson, of Tennessee,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Chandler, Fessenden, Foster, Houston, Iverson, Johnson, of Tennessee, King, Polk, Wright.

Those who voted in the negative are,
Messrs. Bayard, Bright, Broderick, Clingman, Crittenden, Davis, Doolittle, Fitch, Fitzpatrick, Gwin, Hale, Harlan, Hayne, Jones, Kennedy, Pearce, Pugh, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Yulee.

No further amendment being proposed,
Ordered, That the bill pass to a third reading.

The bill was read a third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas 28
Nays..... 8

On motion by Mr. Fessenden,
The yeas and nays being desired by one-fifth of the senators present,
Those who voted in the affirmative are,
Messrs. Bigler, Bright, Broderick, Clingman, Crittenden, Davis, Doolittle, Douglas, Fitch, Foot, Gwin, Hale, Hammond, Hayne, Houston, Jones, Kennedy, Mallory, Pearce, Pugh, Rice, Seward, Simmons, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,
Messrs. Fessenden, Fitzpatrick, Harlan, Iverson, Johnson, of Tennessee, King, Polk, Stuart.

So it was

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 383) for the relief of Myra Clark Gaines; and, having been amended on the motion of Mr. Seward, by inserting after the word

“death” in the 7th line, *not exceeding fifty dollars per month*, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

On the question, “Shall this bill pass?”

It was determined in the affirmative, { Yeas..... 34
Nays 7

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bigler, Bright, Broderick, Brown, Chandler, Clingman, Collamer, Crittenden, Davis, Doolittle, Douglas, Fitch, Foot, Gwin, Hale, Hammond, Harlan, Hayne, Houston, Hunter, Jones, Kennedy, Polk, Pugh, Reid, Seward, Simmons, Stuart, Thomson, of New Jersey, Trumbull, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Clay, Fessenden, Fitzpatrick, Iverson, Johnson, of Tennessee, King, Toombs.

So it was

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider, as in Committee of the Whole, the resolution (H. R. 37) in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California.

On motion by Mr. Hunter, to amend the resolution in the 13th line, by striking out “and directed,”

It was determined in the negative, { Yeas..... 21
Nays..... 29

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Bayard, Benjamin, Bigler, Brown, Clay, Clingman, Crittenden, Davis, Hammond, Hayne, Houston, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Pearce, Reid, Slidell, Thomson, of New Jersey, Toombs, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell, Broderick, Chandler, Collamer, Doolittle, Douglas, Durkee, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hale, Hamlin, Harlan, Iverson, Jones, King, Polk, Pugh, Rice, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

No amendment being made, the resolution was reported to the Senate.

Ordered, That it pass to a third reading.

The resolution was read a third time.

On the question, “Shall the resolution pass?”

It was determined in the affirmative, { Yeas..... 29
Nays..... 17

On motion by Mr. Bayard,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bell, Broderick, Chandler, Collamer, Doolittle, Douglas, Durkee, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hamlin, Harlan, Houston, Iverson, Jones, King, Polk, Pugh, Rice, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Bigler, Brown, Clay, Clingman, Crittenden, Hammond, Hayne, Hunter, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Pearce, Reid, Slidell, Toombs, Wright.

So it was

Resolved, That this resolution pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Jones reported from the committee that they this day presented to the President of the United States the following enrolled bills:

H. R. 345. An act for the relief of Nancy Magill, of Ohio.

H. R. 199. An act making appropriations for the naval service for the year ending the 30th of June, 1859.

S. 424. An act for the relief of Georgiana M. Lewis.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives concurs in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 558) making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859;

The House also concurs in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs.

The Speaker of the House of Representatives having signed two enrolled bills, H. R. 42 and H. R. 585, I am directed to bring them to the Senate for the signature of its President.

The Vice President signed the two enrolled bills, H. R. 42 and H. R. 585, last mentioned, and they were delivered to the committee to be presented to the President of the United States.

A message from the President of the United States by Mr. Henry, his secretary.

Mr. President: The President of the United States this day approved and signed the following acts:

S. 130. An act for the relief of Jennett H. McCall, only child of Captain James McCall of the revolutionary war.

S. 424. An act for the relief of Georgiana M. Lewis.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives, by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a bill (H. R. 651) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, in which it requests the concurrence of the Senate.

The bill (H. R. 651) last mentioned was read and passed to a second reading.

Mr. Hunter, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 466) making appropriations for the expenses of collecting the revenue from customs, reported that they have agreed to recommend and do recommend to the respective Houses as follows:

"That the House of Representatives recedes from its disagreement to the fourth amendment of the Senate, and concurs with an amendment as follows: strike out all after the word "warehouses" in the 5th line to the word "than" in line 8, and insert: *or appraisers shall receive a compensation more than twenty-five per centum greater.*

R. M. T. HUNTER,

J. D. BRIGHT,

B. F. WADE,

Managers on the part of the Senate.

JOHN COCHRANE,

W. L. UNDERWOOD.

Managers on the part of the House of Representatives.

The Senate proceeded to consider the report; and

On motion,

Resolved, That the Senate concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives agrees to the amendments of the Senate to the bill of the House (H. R. 555) to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1858.

The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 558) I am directed to bring it to the Senate for the signature of its President.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives concurs in the amendment of the Senate to the bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, with the following amendments, viz: Line 4, strike out the word "fifteen" and insert *twenty*; line 16, strike out the word "five" and insert the word *six*.

The Senate proceeded to consider the amendments of the House of Representatives to the amendment of the Senate to the bill last mentioned.

On the question to agree to the first amendment of the House to the amendment of the Senate to the said bill, viz: Strike out "fifteen" and insert *twenty*,

It was determined in the affirmative, { Yeas..... 24
Nays..... 21

On motion by Mr. Pugh,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Davis, Fitch, Green, Gwin, Hunter, Iverson, Johnson, of Arkansas, Jones, Mason, Reid, Rice, Sebastian, Slidell, Stuart, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell, Broderick, Chandler, Collamer, Crittenden, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson, of Tennessee, Kennedy, King, Pugh, Seward, Simmons, Toombs, Trumbull, Wilson.

On the question to agree to the second amendment of the House of Representatives to the amendment of the Senate, viz: Strike out "five" and insert *six*,

It was determined in the negative.

So it was

Resolved, That the Senate agree to the first amendment of the House to the amendment of the Senate to the bill (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, and disagree to the second amendment of the House to the amendment of the Senate to the said bill; and that the title of the bill be amended by striking out "fifteen," and inserting *twenty*.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Jones reported from the committee that they had examined and found duly enrolled the following bills and resolution:

H. R. 42. An act granting a pension to Mary A. M. Jones;

H. H. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859;

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs;

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858;

H. R. 37. Joint resolution in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The Speaker of the House of Representatives having signed the following enrolled bills, and enrolled resolution:

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858;

H. R. 37. Joint resolution in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California;

I am directed to bring them to the Senate for the signature of their president.

The Vice President signed the following enrolled bills and enrolled joint resolution:

H. R. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859 ;

H. R. 37. Resolution in regard to the carrying the United States mails from St. Joseph, Missouri, to Placerville, California ;

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs ;

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending the 30th of June, 1858.

On motion by Mr. Slidell, that the Senate adjourn,

It was determined in the negative, { Yeas..... 17
Nays..... 29

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Bright, Brown, Clay, Clingman, Harlan, Johnson, of Arkansas, Johnson, of Tennessee, Mason, Polk, Slidell, Toombs, Trumbull, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Bell, Broderick, Chandler, Collamer, Crittenden, Davis, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hale, Hamlin, Houston, Hunter, Iverson, Jones, Kennedy, King, Pugh, Reid, Rice, Sebastian, Seward, Simmons, Stuart, Wilson.

Mr. Johnson, of Arkansas, from the Committee on Printing, reported in favor of printing the report of the Postmaster General, relative to alleged violations of law on the part of the postmaster at San Francisco ; and

The report was agreed to.

On motion by Mr. Johnson, of Arkansas, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 23
Nays 21

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Bigler, Brown, Clay, Clingman, Harlan, Hunter, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Kennedy, King, Mason, Polk, Rice, Seward, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Broderick, Chandler, Collamer, Crittenden, Fessenden, Fitch, Foot, Foster, Green, Hale, Hamlin, Houston, Jones, Pugh, Reid, Sebastian, Simmons, Trumbull, Wade, Wilson.

So the Senate adjourned.

MONDAY, JUNE 14, 1858.

A message from the House of Representatives by Mr. Allen, its Clerk.

Mr. President: The House of Representatives recedes from its second amendment to the amendment of the Senate to the bill of the House (H. R. 582) to authorize a loan not exceeding the sum of fifteen millions of dollars, and it agrees to the amendment of the Senate to the title of the bill.

The House of Representatives has passed the following bill and resolution of the Senate:

S. 287. An act for the relief of Sherlock and Shirley.

S. 49. A resolution to correct an error in the "act for the relief of Stephen R. Rowan," approved June 1, 1858.

The House of Representatives has passed the following resolution, in which it requests the concurrence of the Senate:

Resolved, the Senate concurring, That the time for the adjournment of the present session of Congress shall be and is extended from 12 o'clock m. to 2½ o'clock p. m., this day.

The Speaker of the House of Representatives having signed the enrolled bill, (H. R. 582,) I am directed to bring it to the Senate for the signature of its President.

The Vice President presented the credentials of the Hon. John P. Hale, elected a senator by the legislature of New Hampshire, for the term of six years from the fourth day of March next; which were read.

The Vice President signed the enrolled bill (H. R. 582) to authorize a loan not exceeding the sum of twenty millions of dollars, and it was delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider the resolution of the House of Representatives extending the time for the adjournment of Congress; and

On motion, by Mr. Brown, to amend the resolution by striking out the words "2½ o'clock p. m. this day," and inserting 12 o'clock to-morrow.

It was determined in the affirmative.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 582) to authorize a loan not exceeding the sum of twenty millions of dollars; and that they presented to the President of the United States, the 13th instant, the following enrolled bills and joint resolution:

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1858;

H. R. 42. An act granting a pension to Mary A. M. Jones;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee ;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas ;

H. R. 650. An act granting an invalid pension to William Randolph ;

H. R. 558. An act making appropriations for the transportation of the United States mail by ocean mail steamers and otherwise during the fiscal year ending the 30th June, 1859 ;

H. R. 585. An act to establish certain post roads ;

H. R. 37. Joint resolution in regard to the carrying the United States mail from St. Joseph, Missouri, to Placerville, California.

Mr. Doolittle submitted the following resolution for consideration :

Whereas the numerous disabilities to which free persons of color of African descent are subjected in many of the free States have made it desirable, on the part of large numbers of them, to seek elsewhere a more favorable field for their labor and enterprise ; and

Whereas the same class of persons is regarded with still greater disfavor in the slaveholding States, from considerations deemed so controlling that further emancipation in many of them has been prohibited by law, unless the persons emancipated shall be at the same time removed beyond the jurisdiction of the State ; and, in some of them, the graver question is seriously entertained, whether persons of African descent, who are now free, shall not be again reduced to slavery if they continue to remain within their jurisdictions ; and

Whereas in Yucatan, and Central and South America, there are vast regions, almost uninhabited, of the most beautiful and productive countries in the world, in a climate well adapted to the constitution of the African race, to develop its greatest power and highest activity,

Therefore resolved, That the Committee on Foreign Relations be instructed to inquire into the expediency of acquiring, by treaty, in Yucatan, Central or South America, the rights and privileges of settlement and of citizenship, for the benefit of such persons of color of African descent as may voluntarily desire to emigrate from the United States and form themselves into a colony, or colonies, under the laws of the State, or States, to which they emigrate ; the United States, in consideration of the commercial advantages of free trade with such colony or colonies, making and securing the necessary and proper engagements to maintain them in the enjoyment of the rights and privileges acquired by such treaty or treaties.

On motion by Mr. Davis,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the following subjects :

S. 14. Joint resolution authorizing the appointment of commissioners to examine into the difficulties in the affairs of the Territory of Utah, with a view to their settlement ;

Report of the Secretary of War in relation to the North Carolina arsenal ;

Resolution of the Senate relative to the adoption of Captain Ward's improvement in fire-arms ;

Resolution of the Senate relative to the condition of Forts Jefferson and Taylor ;

Resolution of the Senate relative to a wagon-road from Fort Benton to the Columbia river, at or near Fort Walla-Walla.

Mr. Bigler presented the petition of Richard Imlay, praying an extension of his patent for an improvement in the mode of supporting the bodies of railroad cars and carriages ; which was referred to the Committee on Patents and the Patent Office.

Mr. Sebastian, from the Committee on Indian Affairs, reported a bill (S. 458) for the relief of John Rogers, and submitted papers in relation to the claim of John Rogers.

The bill was read and passed to a second reading.

On motion by Mr. Sebastian,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the bill (S. 372) to settle the titles to certain lands belonging to the half-breed Kansas Indians in Kansas Territory.

Mr. Stuart, from the Committee on Public Lands, to whom was referred the bill (H. R. 302) to continue the office of register of the land office at Vincennes, Indiana, reported it without amendment.

Mr. Iverson submitted the following resolution, which was considered, by unanimous consent, and agreed to :

Resolved, That the Committee on Claims be discharged from the further consideration of all the adverse reports of the Court of Claims, which have been referred to that committee.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. 550) making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes, reported it without amendment.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The House of Representatives disagrees to the amendments of the Senate numbered 4, 5, 6, 7 and 10, heretofore agreed to, and insists upon its disagreement to the amendments of the Senate numbered 1, 2, 3, 8 and 9, to the bill of the House (No. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, and asks a further conference on the disagreeing votes of the two Houses on the said bill, and has appointed Mr. Henry M. Phillips, Mr. Ellihu B. Washburne, and Mr. James F. Dowdell, managers at the same on its part.

The House of Representatives has agreed to the amendment of the Senate to the resolution of the House extending the time for the adjournment of Congress, with an amendment, in which it requests the concurrence of the Senate.

The President of the United States approved and signed, the 12th instant, the following acts :

H. R. 199. An act making appropriations for the naval service for the year ending the 30th of June, 1859 ;

H. R. 200. An act making appropriations for sundry civil expenses of the government for the year ending 30th June, 1859 ;

H. R. 460. An act granting a pension to Beriah Wright, of New York ;

H. R. 243. An act making appropriations for the support of the army for the year ending the 30th June, 1859 ;

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1859 ;

And he approved and signed, this day, the following acts :

H. R. 42. An act granting a pension to Mary A. M. Jones ;

H. R. 56. An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory ;

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs ;

H. R. 513. An act granting an invalid pension to William Howell, of Tennessee ;

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1858 ;

H. R. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th of June, 1859 ;

H. R. 585. An act to establish certain post roads ;

H. R. 631. An act granting an invalid pension to John Holland, of Arkansas ;

H. R. 650. An act granting an invalid pension to William Randolph.

The Senate proceeded to consider its amendments to the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, disagreed to by the House of Representatives ; and

On motion by Mr. Hunter, .

Resolved, That the Senate insist upon its amendments to the said bill, disagreed to by the House of Representatives, and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

On motion by Mr. Hunter,

Ordered, That the committee of conference on the part of the Senate be appointed by the Vice President ; and

Mr. Hunter, Mr. Yulee, and Mr. Collamer were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the amendment of the Senate to the resolution of the House extending the time for the adjournment of Congress ; and

On the question to agree to the amendment of the House, viz : Strike out " 12 o'clock to-morrow " and in lieu thereof insert 6 o'clock p. m. this day,

It was determined in the affirmative.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Doolittle reported from the committee that they had examined and found duly enrolled the bill (S. 287) for the relief of Sherlock and Shirley and the joint resolution (S. 49) to correct an error in the act for the relief of Stephen R. Rowan, approved June 1, 1858.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 582) to authorize a loan not exceeding the sum of twenty millions of dollars.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (S. 287) and an enrolled resolution (S. 49) I am directed to bring them to the Senate for the signature of its president.

The Vice President signed the enrolled bill (S. 287) and the enrolled resolution (S. 49) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

The Vice President laid before the Senate a report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, information relative to the claim of the St. Regis Indians to land in Kansas ; which was read.

Ordered, That it be printed.

Mr. Jones reported from the committee that they had presented to the President of the United States this day the following enrolled bill and joint resolution :

S. 287. An act for the relief of Sherlock and Shirley ;

S. 49. A resolution to correct an error in the act for the relief of Stephen R. Rowan, approved June 1, 1858.

Mr. Hunter, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859, reported that, "having met, after a full and free conference, they have agreed to recommend, and do recommend, to the respective Houses as follows :

That the Senate recede from their 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, and 10th amendments.

R. M. T. HUNTER,

D. L. YULEE,

Managers on the part of the Senate.

HENRY M. PHILLIPS,

E. B. WASHBURN,

J. F. DOWDELL,

Managers on the part of the House of Representatives."

The Senate proceeded to consider the report ; and

On motion by Mr. Hunter that the Senate agree to the report,

It was determined in the affirmative, { Yeas..... 33
Nays..... 17

On motion by Mr. Toombs,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bigler, Bright, Chandler, Clingman, Col-

lamer, Crittenden, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Gwin, Hale, Harlan, Houston, Hunter, Kennedy, King, Mallory, Mason, Pearce, Polk, Reid, Seward, Simmons, Thompson, of Kentucky, Trumbull, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Broderick, Brown, Clay, Davis, Douglas, Fitch, Hammond, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Pugh, Slidell, Stuart, Thomson, of New Jersey, Toombs, Wade.

So it was

Resolved, That the Senate concur in the report of the committee of conference on the disagreeing votes of the two Houses on the said bill.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the President of the United States by Mr. Henry, his secretary :

Mr. President : The President of the United States this day approved and signed the act (S. 287) for the relief of Sherlock and Shirley, and the joint resolution (S. 49) to correct an error in the " Act for the relief of Stephen R. Rowan," approved June 1, 1858.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Allen, its Clerk :

Mr. President : The House of Representatives has passed a bill (H. R. 652) to repeal the second section of the act entitled " An act to establish certain post roads," approved June 14, 1858, in which it requests the concurrence of the Senate.

The bill (H. R. 652) last mentioned was read the first and second times, by unanimous consent, and referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Bayard that the Senate proceed to the consideration of the bill (H. R. 59) in relation to courts, and the holding of the terms thereof, in the several Territories of the United States,

It was determined in the affirmative, { Yeas 41
Nays 5

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative are,

Messrs. Allen, Bayard, Benjamin, Bigler, Broderick, Chandler, Clay, Clingman, Collamer, Crittenden, Doolittle, Fessenden, Fitch, Fitzpatrick, Foot, Foster, Harlan, Houston, Iverson, Johnson, of Arkansas, Johnson, of Tennessee, Jones, Kennedy, King, Mallory, Pearce, Polk, Pugh, Reid, Rice, Seward, Simmons, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Brown, Hale, Hammond, Mason, Slidell.

Whereupon

The Senate proceeded to consider the said bill as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Slidell submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That all subjects before the Senate at the close of the present session, including those before committees, shall be continued to the next session, and shall then be proceeded with in the same manner as if no adjournment of the Senate had taken place, and the papers which have been referred to the committees, and may be in their possession at the close of the session, shall be returned informally to the Secretary, and by him restored to the committees when appointed at the next session.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill (H. R. 556) I am directed to bring it to the Senate for the signature of its president.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 556) making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859.

The Vice President signed the enrolled bill (H. R. 556) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 556) making appropriations for the services of the Post Office Department during the fiscal year ending the 30th of June, 1859.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed a resolution for the appointment of a committee, to join such committee as may be appointed by the Senate, to wait on the President of the United States and inform that, if he has no further communication to make, the two Houses are now ready to close the present session of Congress; and it has appointed Mr. Samuel A. Smith, Mr. John C. Kunkel, and Mr. Keitt, the committee on its part.

The Senate proceeded to consider the resolution of the House of Representatives last mentioned; and

On motion by Mr. Bigler,

Ordered, That a committee be appointed on the part of the Senate, to join the committee appointed by the House of Representatives, to wait on the President of the United States and inform him that, if he has no further communication to make, the two Houses are ready to close the present session of Congress.

On motion by Mr. Bigler,

Ordered, That the committee on the part of the Senate be appointed by the Vice President; and

Mr. Bigler and Mr. Foot were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Benjamin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to cause to be prepared and communicated to the Senate, at the commencement of the next session, a list in tabular form, setting forth—

1st. The names of such complainants or claimants, citizens of the United States, as have preferred complaints or claims against foreign governments to the executive department of the government for aggressions or spoliations or other demands against such governments.

2d. The amount claimed.

3d. A brief abstract of the nature of the claim, and the action of the executive in relation thereto.

4th. The result of such action, and the amount of the satisfaction obtained, if any. Said list to commence on the 1st January, 1816.

Mr. Davis submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of legislation by Congress to regulate the election of senators of the United States, and that they report by bill or otherwise.

On motion by Mr. Jones,

Ordered, That the papers in the following cases be withdrawn from the files of the Senate and referred to the office of the Commissioner of Pensions, as they are provided for in the recent act of Congress "continuing half-pay to certain widows and orphans:" Catharine Denny, Catharine M. Hamer, Elizabeth Monroe, Louisa Merrill, Margaret McGuire, Sarah Smead, Elizabeth Spear, Hannah Thompson, Sarah A. Watson, and Mary Walsh.

Mr. Iverson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate be directed to inquire into and prepare, during the recess, a statement of the amount of stationery, and the cost thereof, which was furnished to each member of the Senate during the last Congress and the present session, and report the same to the Senate at the commencement of the next session; and that he also report the amount of stationery purchased for the use of the Senate at each session of the last and present Congress.

On motion by Mr. Mallory,

Ordered, That Samuel James, Ignatius Lucas, Charles Tilley, and Thomas S. Binge, have leave to withdraw their petition and papers.

A message from the House of Representatives by Mr. Allen, its Clerk:

Mr. President: The House of Representatives has passed the following resolution, in which it requests the concurrence of the Senate:

Resolved, (the Senate concurring,) That the President of the Senate and the Speaker of the House of Representatives adjourn their respective Houses, *sine die*, this day at 2½ o'clock p. m.

The President of the United States approved and signed, the 11th instant, the following acts:

H. R. 399. An act for the relief of certain purchasers of lands within the limits of the Choctaw cession of 1830 ;

H. R. 538. An act for the relief of settlers on certain lands in the State of Illinois ;

H. R. 619. An act for the relief of John Sawyer, a soldier of the war of the revolution ;

H. R. 610. An act for the relief of William S. Bradford ;

H. R. 647. An act to change the times of holding the spring term of the district court of the United States for the western district of the State of Texas.

He approved and signed, on the 12th instant, an act (H. R. 345) for the relief of Nancy Magill, of Ohio ; and on this day the following :

H. R. 556. An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859 ;

H. R. 582. An act to authorize a loan not exceeding the sum of twenty millions of dollars.

The Speaker of the House of Representatives having signed an enrolled bill (H. R. 59) I am directed to bring it to the Senate for the signature of its president.

Mr. Jones reported from the committee that they had examined and found duly enrolled the bill (H. R. 59) in relation to courts, and the holding of the terms thereof, in the several Territories of the United States.

The Vice President signed the enrolled bill (H. R. 59) last mentioned, and it was delivered to the committee to be presented to the President of the United States.

Mr. Jones reported from the committee that they this day presented to the President of the United States the enrolled bill (H. R. 59) in relation to courts, and the holding of the terms thereof, in the several Territories of the United States.

The Vice President having retired,

Mr. Slidell submitted the following resolution ; which was considered, by unanimous consent, and agreed to.

Resolved, (the Vice President being absent,) That the Senate now proceed to the election of a President of the Senate, *pro tempore*.

The Senate proceeded to the election of a President *pro tempore* by ballot ; and,

On counting the ballots, it appeared that the honorable Benjamin Fitzpatrick had a majority, and was duly elected.

The President *pro tempore*, on taking the chair, addressed the Senate as follows :

Senators: I am gratified by this renewal of your confidence ; and I assure you that I will endeavor, to the best of my ability, to discharge the duties of the chair faithfully and impartially.

Mr. Seward submitted the following resolution ; which was considered, by unanimous consent, and agreed to:

Resolved, That the thanks of the Senate are unanimously tendered to the honorable John C. Breckinridge for the dignity and impartiality with which he has discharged the duties of presiding officer of this body.

Mr. Iverson submitted the following resolution for consideration :
Resolved, That the annual compensation of the clerk to the Committee on Military Affairs and the Militia shall hereafter be the same as that of the clerk to the Committee on Finance.

Mr. Hale submitted the following resolution for consideration :

Whereas the President of the United States has informed the Senate that he would approve no bills which he had not examined, and recommended that two days previous to the adjournment of each session should be allowed to the President, within which no new bill should be presented to him for his approval, and at the same time has reserved the nomination of many officers, who have for months been in the offices for which they have been nominated, till the last two days of the session—

Resolved, That the President be respectfully informed that it would be agreeable to the Senate if, in his future executive communications to the Senate, he would accord to them the same time for deliberation which he deems necessary for himself.

Mr. Jones submitted the following resolution for consideration :

Resolved, That the clerks of the standing committees of the Senate who are temporary be continued for sixty days after the close of the present session.

Mr. Yulee, from the Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 652) to repeal the second section of the act entitled “An act to establish certain post roads,” approved June 14, 1858, reported it without amendment and submitted an adverse report, (No. 330 ;) which was ordered to be printed.

On motion by Mr. Foster,

Ordered, That the Committee on Pensions be discharged from the further consideration of the bill (S. 66) to amend an act entitled “An act to continue half-pay to certain widows and orphans,” approved February 3, 1853.

On motion by Mr. Foster,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of George S. Seton, the petition of J. M. Morrill, in behalf of the Bangor City Greys, and the petition of the surviving soldiers of the 3d regiment, 2d brigade, of Massachusetts militia in the war of 1812.

On motion by Mr. Bright,

Ordered, That Sherlock and Shirley have leave to withdraw their petition and papers.

Mr. Slidell submitted the following resolution ; which was considered, by unanimous consent, and agreed to :

Resolved, That the Secretary inform the President of the United States and the House of Representatives that, the Vice President being absent, the Senate has chosen the honorable Benjamin Fitzpatrick President of the Senate *pro tempore*.

On motion by Mr. Trumbull,

The vote ordering the printing of the report of the Postmaster General relative to alleged violations of law and malfeasance in office by the postmaster at San Francisco was reconsidered.

On motion by Mr. Broderick,

Ordered, That the said report be referred to the Committee on Post Offices and Post Roads.

On motion by Mr. Douglas,

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 8) to organize the Territory of Arizona and to create the office of surveyor general therein ; to provide for the examination of private land claims ; to grant donations to actual settlers ; to survey the public and private lands, and for other purposes ; and

On motion by Mr. Douglas,

Ordered, That the further consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 14th day of December next.

A motion was made by Mr. Johnson, of Tennessee, to proceed to the consideration of the motion made by him the 27th of May, to reconsider the vote postponing until the first Monday in January next the further consideration of the bill (S. 25) to grant to every person who is the head of a family and a citizen of the United States a homestead of one hundred and sixty acres of land out of the public domain, upon the condition of occupancy and cultivation of the same for the period herein specified ; and

While Mr. Johnson was addressing the Senate,

Mr. Mason raised a question of order, whether, until the bill be taken up, any remarks upon it will be in order ; and

The President *pro tempore* decided that, on a motion to proceed to the consideration of the motion to reconsider the vote on postponing the bill, the remarks of the senator from Tennessee were in order.

A debate arising,

On motion by Mr. Pugh,

Ordered, That a message be sent to the House of Representatives informing the House that the Senate, having finished the legislative business before it, are ready to close the present session by adjournment.

After the consideration of executive business,

The President *pro tempore* announced to the Senate that the hour fixed for the adjournment of the two Houses of Congress had arrived, and declared the Senate adjourned *sine die*.

PROCEEDINGS
OF
A SESSION SPECIALY CALLED.

TUESDAY, JUNE 15, 1858.

By the President of the United States of America.

A PROCLAMATION.

Whereas an extraordinary occasion has occurred rendering it necessary and proper that the Senate of the United States shall be convened, to receive and act upon such communications as have been or may be made to it on the part of the Executive :

Now, therefore, I, JAMES BUCHANAN, President of the United States, do issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 15th day of this month, at 12 o'clock at noon of that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, this 14th day of June, anno Domini 1858, and of [SEAL.] the independence of the United States the 82d.

JAMES BUCHANAN.

By the President :

LEWIS CASS, *Secretary of State.*

In conformity with the foregoing proclamation of the President of the United States, the Senate assembled in its chamber, at the city of Washington.

PRESENT :

From the State of Massachusetts,

'The honorable Henry Wilson.

From the State of Rhode Island and Providence Plantations,

The honorable Philip Allen.

From the State of Connecticut,

The honorable Lafayette S. Foster.

From the State of New York,

The honorable { Preston King,
William H. Seward.

From the State of New Jersey,

The honorable { John R. Thomson,
William Wright.

From the State of Pennsylvania,

The honorable William Bigler.

From the State of Delaware,

The honorable James A. Bayard.

From the State of Maryland,

The honorable Anthony Kennedy.

From the State of Virginia,

The honorable { R. M. T. Hunter,
James M. Mason.

From the State of North Carolina,

The honorable { Thomas L. Clingman,
David S. Reid.

From the State of South Carolina,

The honorable { James H. Hammond,
Arthur P. Hayne.

From the State of Georgia,

The honorable { Alfred Iverson,
Robert Toombs.

From the State of Kentucky,

The honorable { John J. Crittenden,
John B. Thompson.

From the State of Tennessee,

The honorable { John Bell,
Andrew Johnson.

From the State of Ohio,

The honorable { George E. Pugh,
Benjamin F. Wade.

From the State of Louisiana,

The honorable { Judah P. Benjamin,
John Slidell.

From the State of Indiana,

The honorable { Jesse D. Bright,
Graham N. Fitch.

From the State of Mississippi,

The honorable { Albert G. Brown,
Jefferson Davis.

From the State of Illinois,

The honorable { Stephen A. Douglas,
Lyman Trumbull.

From the State of Alabama,

The honorable { Clement C. Clay, jr.,
Benjamin Fitzpatrick.

From the State of Missouri,

The honorable { James S. Green,
Trusten Polk.

From the State of Arkansas,

The honorable { Robert W. Johnson.
William K. Sebastian.

From the State of Michigan,

The honorable Charles E. Stuart.

From the State of Florida,

The honorable { Stephen R. Mallory,
David L. Yulee.

From the State of Texas,

The honorable Sam Houston.

From the State of Iowa,

The honorable { James Harlan,
George W. Jones.

From the State of Wisconsin,

The honorable James R. Doolittle.

From the State of California,

The honorable { David C. Broderick,
William M. Gwin.

From the State of Minnesota,

The honorable Henry M. Rice.

The Hon. Benjamin Fitzpatrick, President of the Senate *pro tempore*, resumed the chair.

Mr. Allen submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That a committee of two members be appointed to wait on the President of the United States, and inform him that a quorum of the Senate has assembled, and that the Senate is ready to receive any communication he may be pleased to make.

Ordered, That the Committee be appointed by the President *pro tempore*; and

Mr. Allen and Mr. Seward were appointed.

Mr. Green submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the standing committees of the Senate, as they stood at the close of the late session, be continued during the present session

Mr. Green presented the memorial of Benjamin W. Perkins, representing that he contracted with the Russian government, through its minister at Washington, for furnishing a quantity of arms and ammunition, for which he has not been paid by that government, and praying that the Senate will take some measures to enforce his rights; which was referred to the Committee on Foreign Relations.

Mr. Green submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Foreign Relations:

Resolved, That the President be respectfully requested to cause to be communicated to the Senate, at the commencement of its next session, whether any complaints have been made to the government of the United States that contracts have been entered into with citizens of the United States by the Russian government, through the agency of its minister now resident at Washington, or of other persons on the recommendation of the said minister, and that, although such contracts have been fully performed by the citizens who had entered

into the same, they have been violated by the Russian government or its agents, to the great injury, if not entire ruin, of such citizens.

Resolved, That all evidence of any such contracts in possession of the government, together with such information as to the action of the government in the premises, be communicated to the Senate, (if not incompatible with the public interests,) and that all such information be communicated in *confidence*.

On motion by Mr. Slidell,

Ordered, That the report of the Secretary of the Navy, communicated to the Senate the 10th of March, 1856, in relation to instructions given to Commodore McCauley while in command of the home squadron, be printed.

Mr. Allen, from the committee appointed to wait on the President of the United States and inform him that a quorum of the Senate is assembled, and that the Senate is ready to receive any communication he may be pleased to make, reported that they had performed the duty assigned them; and that the President replied that he would make a communication to the Senate.

Mr. Mason submitted the following resolutions:

Resolved, as the judgment of the Senate, That American vessels on the high seas, in time of peace, bearing the American flag, remain under the jurisdiction of the country to which they belong; and, therefore, any visitation, molestation, or detention of such vessels by force, or by the exhibition of force, on the part of a foreign power, is in derogation of the sovereignty of the United States.

Resolved, That the recent and repeated violations of this immunity, committed by vessels-of-war belonging to the navy of Great Britain, in the Gulf of Mexico and the adjacent seas, by firing into, interrupting, and otherwise forcibly detaining them on their voyage, requires, in the judgment of the Senate, such unequivocal and final disposition of the subject by the governments of Great Britain and the United States touching the rights involved as shall preclude, hereafter, the occurrence of like aggressions.

Resolved, That the Senate fully approves the action of the Executive in sending a naval force into the infested seas with orders "to protect all vessels of the United States on the high seas from search or detention by the vessels-of-war of any other nation." And it is the opinion of the Senate that, if it becomes necessary, such additional legislation should be supplied in aid of the executive power as will make such protection effectual.

The Senate proceeded, by unanimous consent, to consider the resolutions.

Ordered, That they be referred to the Committee on Foreign Relations.

Mr. Mason, from the Committee on Foreign Relations, to whom were referred the resolutions in relation to the visitation, molestation, or detention of American vessels on the high seas, reported the same without amendment.

The Senate proceeded to consider the resolutions; and having been amended on the motion of Mr. Mason,

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, JUNE 16, 1858.

On motion by Mr. Stuart, that the Senate proceed to the consideration of executive business,

It was determined in the affirmative, { Yeas..... 38
Nays —

On motion by Mr. Stuart,

The yeas and nays being desired by one-fifth of the senators present, Those who voted in the affirmative, are

Messrs. Benjamin, Bigler, Bright, Broderick, Clay, Clingman, Crittenden, Davis, Doolittle, Douglas, Fitch, Fitzpatrick, Foster, Hammond, Harlan, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, King, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Stuart, Thompson, of Kentucky, Thomson, of New Jersey, Toombs, Trumbull, Wade, Wilson.

Mr. Doolittle submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the memorial, and papers accompanying the same, of Peter Vrooman, be referred to the Court of Claims, and that the same be transferred accordingly.

On motion by Mr. Toombs,

Ordered, That Mr. Doolittle be excused from attendance in the Senate during the residue of the session.

On motion by Mr. Clay,

Ordered, That the Committee on Commerce be discharged from the further consideration of the joint resolution (S. 12) to authorize the Secretary of War to modify a contract made with Righter & Crain for the removal of obstructions in Southwest Pass and Pass à l'Outre at the mouth of the Mississippi.

Mr. Hayne submitted the following motion; which was considered, by unanimous consent, and agreed to:

Ordered, That a committee to consist of two members be appointed by the President *pro tempore* to wait upon the President of the United States and inform him that, unless he may have further communications to make, the Senate is now ready to adjourn.

The President *pro tempore* appointed Mr. Hayne and Mr. Crittenden the committee.

Mr. Crittenden, from the committee appointed to wait on the President of the United States and inform him that, unless he may have further communications to make, the Senate is now ready to adjourn, reported:

That the committee had performed the duty assigned them, and that the President replied, "That he had no further communication to make."

Mr. Wright submitted the following motion for consideration:

Ordered, That the pages be paid during the present session of the Senate.

On motion by Mr. Hunter,

Ordered, That when the Senate adjourn this day it be *sine die*.

On motion by Mr. Mason, that the Senate proceed to the considera

tion of the resolutions reported by him from the Committee on Foreign Relations, relative to the recent aggressions by British cruisers on American vessels in the Gulf of Mexico,

It was determined in the affirmative, { Yeas..... 32
Nays 3

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the senators present.

Those who voted in the affirmative are,

Messrs. Allen, Bell, Benjamin, Bigler, Brown, Clay, Clingman, Crittenden, Davis, Douglas, Fitch, Fitzpatrick, Gwin, Hammond, Hayne, Houston, Hunter, Iverson, Johnson, of Arkansas, Jones, Kennedy, King, Mason, Polk, Reid, Sebastian, Slidell, Stuart, Trumbull, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Broderick, Harlan, Pugh.

Whereupon the Senate resumed the consideration of the said resolutions; and, having been amended, they were agreed to *unanimously*, as follows:

Resolved, as the judgment of the Senate, That American vessels on the high seas, in time of peace, bearing the American flag, remain under the jurisdiction of the country to which they belong; and, therefore, any visitation, molestation, or detention of such vessel by force, or by the exhibition of force, on the part of a foreign power, is in derogation of the sovereignty of the United States.

Resolved, That the recent and repeated violations of this immunity, committed by vessels-of-war belonging to the navy of Great Britain, in the Gulf of Mexico and the adjacent seas, by firing into, interrupting, and otherwise forcibly detaining them on their voyage, requires, in the judgment of the Senate, such unequivocal and final disposition of the subject by the governments of Great Britain and the United States touching the rights involved as shall satisfy the just demands of this government, and preclude, hereafter, the occurrence of like aggressions.

Resolved, That the Senate fully approves the action of the Executive in sending a naval force into the infested seas with orders "to protect all vessels of the United States on the high seas from search or detention by the vessels-of-war of any other nation." And it is the opinion of the Senate that, if it becomes necessary, such additional legislation should be supplied in aid of the executive power as will make such protection effectual.

After the consideration of executive business,

The Senate adjourned *sine die*.

APPENDIX.

Senators of the United States whose seats will be vacant in—

1859.	1861.	1863.
Mr. Allen, of R. I. Bates, of Del. Bell, of Tenn. Benjamin, of La. Brown, of Miss. Clay, of Ala. Douglas, of Ill. Fessenden, of Me. Hale, of N. H. *Hayne, of S. C. Houston, of Texas. Hunter, of Va. Jones, of Iowa. Reid, of N. C. Sebastian, of Ark. Shields, of Minn. Stuart, of Mich. Thompson, of Ky. Toombs, of Ga. Wright, of N. J. Wilson, of Mass.	Mr. Bigler, of Pa. Clark, of N. H. *Clingman, of N. C. Collamer, of Vt. Crittenden, of Ky. Durkee, of Wis. Fitch, of Ia. Fitzpatrick, of Ala. Foster, of Conn. Green, of Mo. Gwin, of Cal. Hammond, of S. C. Harlan, of Iowa. Johnson, of Ark. Iverson, of Ga. Pearce, of Md. Pugh, of Ohio. Seward, of N. Y. Slidell, of La. Trumbull, of Ill. Yulee, of Florida.	Mr. Bayard, of Del. Bright, of Ia. Broderick, of Cal. Cameron, of Pa. Chandler, of Mich. Davis, of Miss. Dixon, of Conn. Doolittle, of Wis. Foot, of Vt. Hamlin, of Maine. Johnson, of Tenn. Kennedy, of Md. King, of N. Y. Mallory, of Fla. Mason, of Va. Polk, of Mo. Rice, of Minn. Simmons, of R. I. Sumner, of Mass. Thomson, of N. J. Wade, of Ohio. <i>Vacant.</i> Texas, 1.

* Appointed by the executive of the State, until the next meeting of the legislature thereof.

APPENDIX.

LIST OF ACTS AND RESOLUTIONS.

Passed at the first session of the Thirty-fifth Congress.

PUBLIC ACTS.

S. 13. An act to authorize the issue of treasury notes. [Approved December 23, 1857.]

S. 27. An act to detach Selma, in the State of Alabama, from the collection district of New Orleans, and make it a port of delivery within the collection district of Mobile. [Approved January 26, 1858.]

H. R. 63. An act to supply an omission in the enrollment of a certain act. [Approved February 5, 1858.]

H. R. 3. An act making appropriations for the payment of invalid and other pensions of the United States for the year ending 30th of June, 1859. [Approved February 10, 1858.]

H. R. 22. An act to alter the time of holding the courts of the United States in the State of South Carolina. [Approved February 10, 1858.]

H. R. 271. An act to enable the President of the United States to fulfill the stipulations contained in the 3d and 6th articles of the treaty between the United States and the King of Denmark, of the 11th April, 1857, for the discontinuance of the Sound dues. [Approved March 4, 1858.]

H. R. 307. An act to appropriate money to supply deficiencies in the appropriations for paper, printing, binding and engraving, ordered by the Senate and House of Representatives of the 33d to 34th Congresses, and which has been executed. [Approved March 12, 1858.]

H. R. 313. An act to provide for the organization of a regiment of mounted volunteers for the defence of the frontiers of Texas, and to authorize the President to call into the service of the United States two additional regiments of volunteers. [Approved April 7, 1858.]

S. 176. An act to acquire certain lands needed for the Washington aqueduct, in the District of Columbia. [Approved April 8, 1858.]

S. 36. An act to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States in certain cases. [Approved May 4, 1858.]

S. 111. An act to alter the times of holding the circuit and district courts of the United States for the district of Vermont. [Approved May 4, 1858.]

S. 161. An act for the admission of the State of Kansas into the Union. [Approved May 4, 1858.]

H. R. 306. An act to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858. [Approved May 4, 1858.]

H. R. 5. An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending the 30th June, 1859. [Approved May 5, 1858.]

H. R. 62. An act making appropriations for the support of the Military Academy for the year ending the 30th of June, 1859. [Approved May 10, 1858.]

S. 86. An act for the admission of the State of Minnesota into the Union. [Approved May 11, 1858.]

S. 286. An act to enlarge the Detroit and Saginaw land districts, in the State of Michigan. [Approved May 11, 1858.]

S. 296. An act amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856. [Approved May 11, 1858.]

S. 307. An act to authorize the Secretary of the Treasury to sell the old custom-house and site in Bath, Maine, and for other purposes. [Approved May 11, 1858.]

S. 313. An act to amend an act entitled "An act to ascertain and settle the private land claims in the State of California." [Approved May 11, 1858.]

S. 312. An act to provide for the collection and safe keeping of public archives in the State of California. [Approved May 19, 1858.]

S. 314. An act for the prevention and punishment of frauds in land titles in California. [Approved May 19, 1858.]

S. 82. An act to amend an act entitled "An act to authorize the President of the United States to cause to be surveyed the tract of land in the Territory of Minnesota belonging to the half-breeds or mixed bloods of the Dacotah or Sioux nation of Indians, and for other purposes," approved 17th July, 1854. [Approved May 19, 1858.]

H. R. 207. (217.) An act to prevent the inconvenient accumulation in the Post Office Department of postmasters' quarterly returns. [Approved May 24, 1858.]

H. R. 564. An act to create a land district in the Territory of New Mexico. [Approved May 24, 1858.]

H. R. 170. An act for extending the land laws east of the Cascade mountains in Oregon and Washington Territories. [Approved May 29, 1858.]

S. 210. An act to create additional land districts in the State of California, and for other purposes. [Approved May 29, 1858.]

H. R. 201. An act making appropriations for the legislative, executive, and judicial expenses of government for the year ending the 30th of June, 1859. [Approved June 2, 1858.]

H. R. 300. An act declaring the title to land warrants in certain cases. [Approved June 3, 1858.]

S. 47. An act confirming the location of land warrants under certain circumstances. [Approved June 3, 1858.]

S. 297. An act to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853. [Approved June 3, 1858.]

H. R. 6. An act making appropriations for the consular and diplomatic expenses of government for the year ending the 30th of June, 1859. [Approved June 5, 1858.]

H. R. 152. An act to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas. [Approved June 5, 1858.]

H. R. 169. An act making appropriations for the payment of clerks employed in the offices of the registers of the land offices at Oregon City and Winchester, in the Territory of Oregon. [Approved June 5, 1858.]

S. 323. An act to confirm the sale of the reservation held by the Christian Indians and to provide a permanent home for said Indians. [Approved June 8, 1858.]

H. R. 246. An act for the relief of certain settlers on the public lands in the State of Wisconsin. [Approved June 9, 1858.]

S. 127. An act to repeal the fifth section of an act entitled "An act to authorize the register or enrollment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," approved March 3, 1825. [Approved June 11, 1858.]

H. R. 399. An act for the relief of certain settlers and purchasers of lands within the limits of the Choctaw cession of 1830. [Approved June 11, 1858.]

H. R. 538. An act for the relief of settlers on certain lands in the State of Illinois. [Approved June 11, 1858.]

H. R. 647. An act to change the time of holding the spring term of the District Court of the United States for the western district of the State of Texas. [Approved June 11, 1858.]

H. R. 199. An act making appropriations for the naval service for the year ending the 30th of June, 1859. [Approved June 12, 1858.]

H. R. 200. An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1859. [Approved June 12, 1858.]

H. R. 243. An act making appropriations for the support of the army for the year ending the 30th of June, 1859. [Approved June 12, 1858.]

H. R. 557. An act making supplemental appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1859. [Approved June 12, 1858.]

H. R. 56. An act making appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory. [Approved June 14, 1858.]

H. R. 59. An act in relation to courts, and the holding of the terms thereof, in the several Territories of the United States. [Approved June 14, 1858.]

H. R. 466. An act making appropriations for the expenses of collecting the revenue from customs. [Approved June 14, 1858.]

H. R. 555. An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending the 30th June, 1858. [Approved June 14, 1858.]

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H. R. 558. An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise during the fiscal year ending the 30th June, 1859. [Approved June 14, 1858.]

H. R. 582. An act to authorize a loan not exceeding the sum of twenty millions of dollars. [Approved June 14, 1858.]

H. R. 585. An act to establish certain post roads. [Approved June 14, 1858.]

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H. R. 12. Resolution making an appropriation for the payment of expenses of investigating committees of the House of Representatives. [Approved February 18, 1858.]

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S. 2. Resolution authorizing the Secretary of the Navy to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California. [Approved May 18, 1858.]

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H. R. 210. An act for the relief of the legal representatives or assignees of James Lawrence. [Approved April 19, 1858.]

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S. 167. An act for the relief of the owner of the barque Attica, of Portland, Maine. [Approved April 19, 1858.]

S. 202. An act for the relief of Major Jeremiah Y. Dashiell, paymaster in the United States army. [Approved April 21, 1858.]

H. R. 208. An act for the relief of the heirs of Alexander Stevenson. [Approved April 21, 1858.]

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H. R. 359. An act for the relief of Duncan Robertson. [Approved May 1, 1858.]

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S. 38. An act for the relief of John R. Temple, of Louisiana. [Approved May 18, 1858.]

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H. R. 542. An act to authorize the vestry of Washington parish to take and inclose certain parts of streets in Washington City, for the purpose of extending the Washington cemetery, and for other purposes. [Approved May 18, 1858.]

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H. R. 100. An act to revive an act entitled "An act for the relief of the heirs, or their legal representatives, of William Conway, deceased." [Approved May 24, 1858.]

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- S. 226. An act for the relief of Mrs. Harriet O. Reid, executrix of the late Col. A. C. W. Fanning, of the United States army. [Approved June 9, 1858.]
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TO

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29	A bill for the relief of William K. Jennings and others— read twice and referred..... reported..... read the third time and passed (yeas and nays).....	65 79 107
30	A bill for the relief of Elizabeth Montgomery, heir of Hugh Mont- gomery— read twice and referred..... reported with an amendment..... considered and postponed..... amended, read the third time, and passed.....	65, 66 142 205 454
31	A bill authorizing the establishment of a navy-yard and depot at the harbor of Ship island, in the Gulf of Mexico— read twice and referred.....	66
32	A bill to repeal an act entitled "An act authorizing the Secretary of the Treasury to change the names of vessels in certain cases," approved 5th March, 1856— read twice and referred..... reported, read the third time, and passed.....	66 100
33	A bill to authorize the State of Iowa to apply the unsold lands here- tofore granted for the improvement of the navigation of the Des Moines river, to the construction of a railroad in the valley of said river— read twice and referred..... reported and ordered to lie on the table.....	73 538
34	A bill explanatory of an act entitled "An act to settle certain ac- counts between the United States and the State of Mississippi and other States"— read twice and referred..... reported.....	73 620
35	A bill for the relief of Michael Kinney, late a private in company I, 8th regiment United States infantry— read twice and referred..... reported..... read the third time and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	74 111 124 544, 545 551 553 563 569
36	A bill to provide for the issuing, service, and return of original and final process in the circuit and district courts of the United States, in certain cases— read twice and referred..... reported with an amendment, which was agreed to, read the third time, title amended, and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	74 230 396 407 408 409 412
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44	A bill to amend an act entitled "An act amendatory of existing laws relative to the half dollar, quarter dollar, dime, and half dime," approved the 21st February, 1853— read twice and referred.....	79
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49	A bill to provide for the construction of a court-house, post office, and custom-house in Apalachicola, in the State of Florida— read twice and referred..... reported <i>adversely</i>	86, 87 205
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56	A bill explanatory of an act entitled "An act in addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855— read twice and referred..... reported <i>adversely</i>	100 295
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285	A bill to provide for the better security of the lives of passengers on board of steamers navigating the ocean, propelled wholly or in part by steam— read twice and referred.....	380
286	A bill to enlarge the Detroit and Saginaw land districts, in Michigan— read twice and referred..... reported..... read the third time and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	382 398 402 429 436 437 440 440
287	A bill for the relief of Sherlock & Sherley— reported and read the first time..... read the second time and postponed..... amended and postponed (yeas and nays)..... amended, read the third time and passed..... passed the House of Representatives..... examined, signed, and presented..... approved.....	382 474 492 505 709 713 714

No.	Title and action.	Page.
288	A bill for the relief of Miles Devine— reported and read the first time..... read the second and third times and passed.....	382 515
289	A bill explanatory of an act granting public lands to aid in the construction of a railroad in the States of Florida and Alabama— read twice and referred..... reported <i>adversely</i>	382 398
290	A bill for the relief of the legal representatives of George Mayo, deceased— read twice and referred..... committee discharged..... postponed indefinitely.....	382 579 611
291	A bill for the relief of Webster S. Steele— reported and read the first time..... read the second and third times and passed.....	386 497, 498
292	A bill for the relief of James A. Glanding— reported and read the first time..... read the second and third times and passed.....	386 497, 498
293	A bill for the relief of Franklin Steele— reported and read the first time..... read the second and third times and passed.....	386 498, 499
294	A bill for the relief of Lemuel Worster— reported and read the first time..... read the second and third time and passed.....	392 474
295	A bill for the relief of David D. Porter— reported and read the first time..... read the second and third times and passed.....	392 497, 498
296	A bill amendatory of an act entitled "An act to establish two additional land districts in the Territory of Minnesota," approved July 8, 1856— read twice and referred..... reported..... read the third time and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	392 398, 399 402 429 436 437 439 440
297	A bill to extend an act entitled "An act to continue half-pay to certain widows and orphans," approved February 3, 1853— reported and read the first time..... amendment proposed by Mr. Pugh: Line 8, after the word "life," insert <i>or widowhood</i> (yeas and nays)..... read the third time and passed..... passed the House of Representatives and examined..... signed..... presented..... approved.....	394 492 492 596 597 608 610
298	A bill for the relief of Catherine Jacobs, widow of Francis Jacobs, a waiter in the military household of General Washington— reported, read three times and passed.....	395
299	A bill to establish an additional land district in the State of Iowa— read twice and referred..... reported <i>adversely</i>	398 445
300	A bill for the relief of the Hungarian settlers upon certain tracts of land in Iowa, hitherto reserved from sale by order of the President, dated January 22, 1855— read twice and referred..... reported..... amended, read the third time and passed..... passed the House of Representatives.....	398 406 414 429

No.	Title and action.	Page.
300	A bill for the relief of the Hungarian settlers—Continued— examined signed presented approved	436 437 439, 440 440
301	A bill for the relief of Henry Etting— reported and read the first time read the second and third times and passed	398 497, 498
302	A bill for the relief of James Smith— reported and read the first time read the second and third times and passed	401 498, 499
303	A bill for the relief of Isaac Varn, sr. reported and read the first time	401
304	A bill to establish a line of mail steam ships between certain ports in the United States and Great Britain— read twice and referred	405
305	A bill to complete the construction of military road in the Territory of Washington— read twice and referred	405
306	A bill for the relief of Samuel H. Taylor— reported and read the first time read the second and third times and passed	405 497, 498
307	A bill to authorize the Secretary of the Treasury to sell the old cus- tom-house and site in Bath, Maine, and for other purposes— read twice and referred reported, amended, read third time and passed passed the House of Representatives examined signed presented approved	405 422, 423 429 436 437 440 440
308	A bill for the relief of M. C. Gritzner— reported and read the first time read the second and third times and passed motion to reconsider the vote on passing the bill motion to reconsider withdrawn	405 497, 498 503 516
309	A bill for the relief of John B. Miller— reported and read the first time read the second and third times and passed	413 497, 498
310	A bill for the preservation of order and protection of persons and pro- perty in the District of Columbia— read twice and referred	413
311	A bill to supply vacancies in certain offices— read twice and referred reported with an amendment	415 496
312	A bill to provide for the collection and safekeeping of public archives in the State of California— reported, read three times and passed passed the House of Representatives with an amendment, and Senate concurred therein examined and signed presented and approved	417 474, 475 475 482
313	A bill to amend the act entitled "An act to ascertain and settle the private land claims in the State of California"— reported, read three times and passed passed the House of Representatives examined signed presented approved	417 429, 430 436 437 440 440

No.	Title and action.	Page.
314	A bill for the prevention and punishment of frauds in land titles in California—	
	reported, read three times and passed	418
	passed the House of Representatives	474
	examined	475
	signed	476
	presented and approved	482
315	A bill to establish a uniform law on the subject of bankruptcies throughout the United States—	
	read the first and second times	418
316	A bill to alter and amend an act entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia," approved July 1, 1812—	
	reported and read the first time	417
317	A bill for the relief of Thomas L. Disharoon—	
	read twice and referred	422
	reported	481
	read the third time and passed	515
318	A bill for the relief of Keep, Bard & Co., J. Caulfield, and Jos. Landis & Co—	
	read twice and referred	422
	committee discharged and again referred	481, 505
	reported, read the third time and passed	509
	passed the House of Representatives	616
	examined	617
	signed	625
	presented	638
	approved	651
319	A bill to enlarge the public grounds surrounding the Capitol—	
	reported and read the first time	423
320	A bill to prevent the continuance of frauds upon the revenue by the undervaluation of foreign imports—	
	read twice and postponed	423
321	A bill making an appropriation for deepening the channel over the St. Clair Flats, in the State of Michigan—	
	read twice and ordered to lie on the table	428
322	A bill for the relief of purchasers of public land within the timber reserve opposite Fort Kearney, and for the settlers within the Winnebago Agency reservation and the Fort Atkinson reservation, all in the State of Iowa—	
	read twice and referred	428
	reported with amendment	530
	amended, read the third time, title amended, and passed	613
323	A bill to confirm the sale of the reservation held by the Christian Indians, and to provide a permanent home for said Indians—	
	read twice and referred	428
	reported	468
	read the third time and passed	500
	ordered that a message be sent to the House of Representatives requesting the return of the bill	509
	the bill returned from the House, and motion, by Mr. King, to reconsider the vote passing the bill postponed	511
	motion to reconsider <i>not</i> agreed to	581
	passed the House of Representatives	616
	examined	617
	signed	625
	presented	638
	approved	640
324	A bill for the relief of R. W. Clark—	
	reported and read the first time	428
	read the second and third times and passed	487, 488

No.	Title and action.	Page.
325	A bill for the relief of Mrs. Ann P. Derrick, widow of W. S. Derrick, deceased— reported and read the first time	428
326	A bill for the relief of Catharine Dickerson— reported and read the first time	434
327	A bill to affirm certain entries of land in the State of Louisiana— read twice and referred	434
	reported	567
	read the third time and passed	613
328	A bill for the relief of John Pickell, late lieutenant in the United States army— reported and read the first time	434
	read the second and third times and passed	497, 498
329	A bill to authorize augmented rates for surveying the public lands in the Territory of Washington— read twice and referred	434
	reported with an amendment	526
330	A bill for the relief of Stephen R. Rowan— reported and read the first time	435
	read the second and third times and passed	497, 498
	passed the House of Representatives	549
	examined	551
	signed	553
	presented	563
	approved	569
331	A bill for the relief of P. S. Duval & Co— reported and read the first time	435
	read the second and third times and passed	497, 498
332	A bill for the relief of Anton L. C. Portman— reported and read the first time	435
	read the second and third times and passed	497, 498
	reported with an amendment	531
333	A bill to establish an additional land district in the State of Minnesota— read twice and referred	438
	reported	634
334	A bill for the relief of Thomas Laurent, surviving partner of the firm of Benjamin and Thomas Laurent— reported and read the first time	438
	read the second time, amended, and postponed	610
335	A bill for the relief of Abner Merrill, of the State of Maine— reported and read the first time	438
	read the second and third times and passed	497, 498
336	A bill for the relief of Assistant Surgeon Edward P. Vollum, of the United States army— reported and read the first time	438
	read the second and third times and passed	497, 498
337	A bill to amend the acts in relation to the Post Office Department— read twice and referred	439
338	A bill for the relief of Caleb Sherman— reported and read the first time	439
	read the second and third times and passed	497, 498
	passed the House of Representatives	549
	examined	551
	signed	553
	presented	563
	approved	569
339	A bill granting a pension to Joseph Vance— read twice and referred	439
	reported <i>adversely</i>	487

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340	A bill for the relief of Ann L. Rogers— reported and read the first time..... read the second and third times and passed.....	451, 452 497, 498
341	A bill making appropriations for repairing and securing the works at the harbor of Chicago, Illinois— reported and read the first time..... read the second and third times..... considered..... considered and passed, (yeas and nays).....	459 511, 512 517 521, 522
342	A bill making appropriations for the preservation and repair of the piers at the mouth of Milwaukee river, Wisconsin— reported and read the first time..... read the second and third times and passed, (yeas and nays)...	459, 460 522
343	A bill making appropriations for repairing the piers at the harbor of Sheboygan, Wisconsin— reported and read the first time..... read the second time, and an amendment being proposed by Mr. Pugh, postponed..... Mr. Hunter proposed to amend the amendment proposed by Mr. Pugh by inserting an additional section: <i>authorizing the President to borrow a sum sufficient to cover appropriations made during the present Congress for improvement of harbors or rivers, &c.,</i> not agreed, (yeas and nays)..... on motion by Mr. Davis to amend the amendment proposed by Mr. Pugh, by inserting: <i>That all articles now on the free list be classed among the unenumerated articles, &c.,</i> "not in order"..... on motion by Mr. Bigler to amend the amendment proposed by Mr. Pugh, by striking out, <i>twenty thousand dollars for unforeseen contingencies of Lake harbors,</i> not agreed, (yeas and nays)..... a further amendment being proposed by Mr. Bigler, the Senate adjourned, (yeas and nays)..... motion to consider, (yeas and nays).....	459, 460 523, 530, 531, 532, 533 533 534 534 534, 535 542
344	A bill making appropriations for repairing the works at the harbor of St. Joseph, Michigan— reported and read the first time.....	459, 460
345	A bill making appropriations for repairing the works at the harbor of Monroe, Michigan— reported and read the first time.....	459, 460
346	A bill making appropriations for completing the improvements in the raft region of Red river— reported and read the first time.....	459, 460
347	A bill making appropriations for deepening and widening the channel through the St. Clair flats, Michigan— reported and read the first time.....	459, 460
348	A bill making appropriations for the preservation of steam dredges and appurtenances— reported and read the first time.....	459, 460
349	A bill making appropriations for repairs of the piers at Burlington, Vermont— reported and read the first time.....	459, 460
350	A bill making appropriations for immediate repairs required for the preservation of Oswego harbor, New York— reported and read the first time.....	459, 460
351	A bill making appropriations for repairing the piers at Sodus Bay harbor, Wayne county, New York, and for dredging between the channel piers— reported and read the first time.....	459, 460
352	A bill making appropriations for repairing the public works at Genesee harbor, New York— reported and read the first time.....	459, 460

No.	Title and action.	Page.
353	A bill making appropriations for repairing the piers of Oak Orchard harbor, New York— reported and read the first time	459, 460
354	A bill making appropriations for repairing the public works at Buffalo harbor, New York— reported and read the first time	459, 460
355	A bill making appropriations for the immediate repair of Dunkirk harbor works— reported and read the first time	459, 460
356	A bill making appropriations for the immediate repair of the piers at Erie harbor, Pennsylvania— reported and read the first time	459, 460
357	A bill making appropriations for repairing the works at the harbor of Conneaut, Ohio— reported and read the first time	459, 460
358	A bill making appropriations for repairing the works at the harbor of Ashtabula, Ohio— reported and read the first time	459, 460
359	A bill making appropriations for repairs upon the works at Grand River harbor, Ohio— reported and read the first time	459, 460
360	A bill making appropriations for securing and repairing the works at the harbor of Cleveland, Ohio— reported and read the first time	459, 460
361	A bill making appropriations for repairs upon the works at Black River harbor, Ohio— reported and read the first time	459, 460
362	A bill making appropriations for repairs upon the works at Huron harbor, Ohio— reported and read the first time	459, 460
363	A bill making appropriations for unforeseen contingencies of Lake harbors— reported and read the first time	459, 460
364	A bill to improve the channel of the Potomac river in the District of Columbia— read twice and referred	461
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365	A bill authorizing the judges of the late Territory of Minnesota to discharge certain trusts— read twice and referred	461
	reported with amendments	619
366	A bill authorizing the establishment of a northern Pacific mail route— read twice and referred	461
367	A bill to provide for the payment of certain California claims— reported and read the first time	461
	read the second and third times and passed	497, 498
368	A bill for the relief of Mrs. Eliza E Ogden— reported and read the first time	461
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369	A bill to amend an act entitled "An act making appropriations for the current and contingent expenses of the Indian department," approved July 30, 1854— read twice and referred	467, 468
	committee discharged	634
370	A bill for the relief of Guadalupe Estudillo de Arguello, widow of Santiago de Arguello— reported and read the first time	468
371	A bill for the relief of Anthony W. Bayard— reported and read the first time	468
	read the second and third times and passed	636

No.	Title and action.	Page.
372	A bill to settle the titles to certain lands belonging to the half-breed Kansas Indians in Kansas Territory— read twice and referred..... committee discharged.....	468 711
373	A bill declaratory of the acts for carrying into effect the 9th article of the treaty of 1819 between the United States and Spain— reported and read the first time.....	468
374	A bill for the relief of George J. Knight— reported and read the first time..... read the second and third times and passed.....	468 497, 498
375	A bill to create two additional land districts in the Territory of Washington— read twice and referred..... reported..... amended, read the third time and passed.....	470 491 515
376	A bill to provide for the payment of expenses arising from Indian hostilities in the State of Minnesota— read twice and referred.....	473
377	A bill for the relief of Madison Sweetzer— reported and read the first time..... read the second time, amended, read the third time and passed.....	474 500
378	A bill to enable the Columbian College in the District of Columbia to found and establish a professorship of agriculture and mechanical science and to complete her endowment fund, and for the benefit of the public schools of Washington, D. C.— read twice and referred..... committee discharged.....	480 620, 621
379	A bill to enable the Columbian College in the District of Columbia to found and establish a professorship of agriculture and mechanical science and to complete her endowment fund, and for the benefit of the public schools of Washington, D. C.— read twice and referred..... committee discharged.....	480 620, 621
380	A bill to provide for the payment of the claims of the State of Maine for expenses incurred by that State in organizing a regiment of volunteers for the Mexican war— reported and read the first time..... read the second and third times and passed.....	481 497, 498
381	A bill to provide for the taking of private property for public use, after allowing just compensation therefor— reported and read the first time.....	481
382	A bill to amend the existing laws relative to the compensation of the district attorneys, marshals, and clerks of the circuit and district courts of the United States— reported and read the first time.....	482
383	A bill for the relief of Myra Clark Gaines— read twice and referred..... reported..... considered, amended, read the third time, and passed, (yeas and nays).....	487 496 703, 704
384	A bill to regulate the rates of postage to and from foreign countries— read twice and referred.....	487
385	A bill for the relief of the heirs or legal representatives of John Hudry— reported and read the first time..... read the second time, amended, read the third time, and passed.....	489 500
386	A bill to amend "An act granting lands to the Territory of Iowa, to aid in the improvement of the Des Moines river in said Territory"— reported and read the first time.....	489

No.	Title and action.	Page.
387	A bill for the better regulation of the sales and entries of the public lands, and to limit the fees of the registers and receivers at the several land offices— read twice and referred reported	489 541
388	A bill for the relief of the legal representatives of the late John Forsyth— reported and read the first time read the second and third times and passed	489 497, 498
389	A bill providing for the allotment of lands to certain New York Indians, and for other purposes— read twice and referred reported with an amendment amended, read the third time, and passed	490 510 613
390	A bill to pay the Washington and Oregon war claims— read twice and referred	497
391	A bill authorizing the removal of the offices belonging to the United States and occupied in the collection of the revenue in connexion with the quarantine station in the port of New York— read twice and referred	493, 494
392	A bill to continue the office of register of the land office at Vincennes, Indiana— read twice and referred reported	496 619
393	A bill for the relief of Richard Fitzpatrick, (received from the Court of Claims)— reported and read the first time read the second and third times and passed	496 499
394	A bill for the relief of Edson Fessenden— reported and read the first time read the second and third times and passed	496 507
395	A bill to authorize the increase of invalid pensions in certain cases— read twice and referred reported	503 591
396	A bill to authorize a loan not exceeding the sum of fifteen millions of dollars— reported and read the first time read the second time and amended on motion by Mr. Bigler : 5th section, strike out "and an additional clerk of the same class in the office of the Treasurer of the United States" amended on motion by Mr. Wilson : "strike out the 5th section," (yeas and nays) amended on motion by Mr. Wilson : section 6, line 4 : strike out "twenty" and insert "five," (yeas and nays) further amended and reported to the Senate considered amendment proposed by Mr. Simmons : to add new sections relating to valuation of imported merchandise, (yeas and nays) amended on motion by Mr. Hunter : section 2, line 13 : strike out "hundred" and insert "thousand" read the third time and passed, (yeas and nays)	504 513 513 513 513 517 523, 524, 525 525 525
397	A bill to authorize the construction of six small war steamers of light draught— reported and read the first time	505
398	A bill for the relief of William Money— reported and read the first time read the second and third times and passed	505 610

No.	Title and action.	Page.
399	A bill to amend an act entitled "An act to extend pre-emption rights to certain lands therein mentioned," approved March 3, 1855— read twice and referred	509
	reported <i>adversely</i>	590
400	A bill to surrender the stock of the United States in the Dismal Swamp Canal Company, upon certain conditions, to said company— reported and read the first time	509
	read the second and third times and passed	610
401	A bill to facilitate communication between the Atlantic and Pacific States by electric telegraph— read twice and referred	510
	reported <i>adversely</i>	658
402	A bill to restrain and redress outrages upon the flag and citizens of the United States— read twice and referred	510
	reported with an amendment and considered	565
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403	A bill for the relief of George Stealey— reported and read the first time	511
	read the second and third times and passed	610
404	A bill in relation to a "Revised Code" for the District of Columbia— read twice and referred	511
405	A bill for the relief of John P. Figh and John H. Gindrat— read twice and referred	511
406	A bill to authorize the city of Washington to distribute and use the water soon to be introduced from the Potomac river— read twice and referred	514
407	A bill for the relief of Mills Judson, surety on the official bond of the late Purser, Andrew D. Crosby— reported and read the first time	515
	read the second and third times and passed	610
408	A bill for the construction of a military road from Seattle to Fort Colville, in the Territory of Washington— read twice and referred	519
409	A bill making an appropriation for the completion of connected sections of a road from Albuquerque, in New Mexico, to the Colorado river— read twice and referred	519
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410	A bill to confirm certain land claims in the Florida parishes of Louisiana— reported and read the first time	522
411	A bill for the relief of Ebenezer Ricker— reported and read the first time	526
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412	A bill supplemental to an act for the admission of the State of Minnesota into the Union— read twice and referred	527
	reported with an amendment, which was concurred in, read the third time, and passed	696
413	A bill for the relief of Mrs. Ann Smith, widow of the late Brevet Major General Persifer F. Smith— read the first and second times	530
	referred	549
414	A bill to reimburse the corporation of Georgetown, in the District of Columbia, a sum of money advanced towards the construction of the Little Falls bridge— read twice and referred	541
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No.	Title and action.	Page.
415	A bill to extend the principles of the pre-emption act to certain lands herein mentioned, and for other purposes— read twice and referred..... committee discharged.....	541 620, 621
416	A bill for the relief of Mark W. Izard— read twice and referred.....	541
417	A bill for the relief of Willis A. Gorman— reported and read the first time..... read the second and third times and passed.....	541 610, 611
418	A bill for the relief of Captain John B. Montgomery— reported and read the first time..... read the second and third times and passed.....	549 610, 611
419	A bill for the relief of John Ferguson and others— read twice and referred..... reported.....	567 581
420	A bill for the relief of James Collier— read twice and referred..... reported.....	580 658
421	A bill to authorize the Secretary of the Interior to issue a land warrant to Benjamin Ward— reported and read the first time..... read the second and third times and passed.....	580 610, 611
422	A bill for the relief of John R. Bartlett— reported and read the first time.....	581
423	A bill for the relief of John Perry— read twice and referred..... reported <i>adversely</i>	584 605
424	A bill for the relief of Georgiana M. Lewis— reported, read three times, and passed..... passed the House of Representatives..... examined and signed..... presented and approved.....	589 696 699 705
425	A bill for the relief of B. F. Blocker, E. J. Gurley, and James F. Davis— reported and read the first time.....	591
426	A bill to authorize the Secretary of the Interior to issue a land warrant to Russell Fitch, of Ohio— reported and read the first time..... read the second and third times and passed.....	592 610, 611
427	A bill for the relief of Thomas W. Ward, late United States consul at Panama— reported and read the first time..... read the second and third times and passed.....	592 610, 611
428	A bill for the relief of James Myer— reported and read the first time..... read the second and third times and passed.....	593 610, 611
429	A bill for the relief of Jane J. Wingerd— reported and read the first time..... read the second and third times and passed.....	593 610, 611
430	A bill to establish a line of mail steam ships between certain ports in the United States and Great Britain— read twice and referred.....	594
431	A bill to revive and put in force the provisions of "An act giving to the President of the United States additional powers for the defence of the United States in certain cases, and for other purposes"— read the first and second times.....	590
432	A bill to amend an act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1856"— read twice and referred..... reported with an amendment.....	603 620

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434	A bill for the relief of Theresa Dardenne, widow of Abraham Dardenne, deceased, and their children—	
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435	A bill for the relief of James T. V. Thompson—	
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436	A bill for the relief of Nathaniel Hayward—	
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437	A bill to refund to the State of Georgia the amount paid by said State to Peter Trezvant for supplies furnished certain troops during the revolutionary war—	
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438	A bill for the relief of Joseph Clymer—	
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439	A bill for the relief of Charles M. Perry—	
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440	A bill for the relief of James Tilton—	
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441	A bill relinquishing the interest of the United States in certain land to the city of St. Paul, Minnesota—	
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442	A bill for the relief of J. M. Pommares—	
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443	A bill for the relief of Henry R. Schoolcraft—	
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444	A bill to consolidate at St. Louis, Missouri, such land districts as may be discontinued in that State—	
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445	A bill for the relief of Ferdinand Coxe—	
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446	A bill for the relief of John H. Wheeler—	
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447	A bill for the relief of Daniel B. Hibbard—	
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448	A bill to repeal an act entitled "An act to expedite telegraphic communication for the uses of the government in its foreign intercourse," approved March 3, 1857—	
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449	A bill authorizing the transfer to State authorities of the books, papers, &c., of discontinued land districts under certain circumstances—	
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450	A bill for the relief of Samuel A. West, George McCullough, Hiram McCullough, and Chas. Pendergrast—	
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451	A bill to suppress the unlawful collection and delivery of letters, and for others purposes—	
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452	A bill for the relief of John R. Nourse—	
	reported and read the first time.....	659
453	A bill for the relief of Mary Walbach, widow of Brigadier General John B. Walbach, of the United States army—	
	reported and read the first time.....	675
454	A bill for the relief of George B. Bacon, late acting purser of the sloop-of-war Portsmouth—	
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456	A bill to furnish the Court of Claims with Congressional documents— reported and read the first time.....	700
457	A bill for the relief of Henry M. Fleury, of Louisiana-- reported and read the first time.....	701
458	A bill for the relief of John Rogers-- reported and read the first time	711

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2	Resolution to authorize the Secretary of the Treasury to audit and settle the accounts of the contractor for the erection of the United States marine hospital at San Francisco, California— read twice and referred	66
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3	Resolution to extend and define the authority of the President under the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy,' " in respect to dropped and retired naval officers— read twice and referred	73
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	passed the House of Representatives	233
	examined	238
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	presented	241
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4	Resolution to extend the operations of the act approved January 16, 1857, entitled "An act to amend an act entitled 'An act to promote the efficiency of the navy.' "— read twice and postponed	84
	amended, title amended, and passed	101
	passed the House of Representatives with an amendment, and referred	125
	reported to concur with an amendment which was agreed to ...	165
	amended and ordered to lie on the table	251
	Senate concur in amendments of the House of Representatives, with amendments	331
	House of Representatives agrees to the amendments of the Senate	417
	House of Representatives asks the return of the resolution ...	423
	House of Representatives agrees to the amendments of the Senate, with an amendment	423, 424
	Senate concur, and the resolution examined	429
	signed	431
	presented	440
	approved	440

No.	Title and action.	Page.
5	Resolution to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain--	
	reported and read the first time.....	87
	read the second and third times and passed.....	112
	passed the House of Representatives.....	250
	examined and signed.....	256
	presented and approved.....	270
6	Resolution to extend to the Naval Retiring Board an opportunity of enjoying the same advantages of officers who have been dropped, furloughed, and retired by said board--	
	read the first time.....	95
	read the second time.....	112
	ordered to lie on the table.....	116
	considered and postponed.....	245
7	Resolution directing the presentation of a medal to Commodore Hiram Paulding--	
	read the first time.....	103
	read the second time and postponed.....	106
	considered and postponed.....	120, 125, 135, 144, 330, 420, 431, 478
8	Resolution to provide ice boats for the Potomac river--	
	read twice and referred.....	111
9	Resolution to provide for the compensation of R. R. Richards, late chaplain to the United States penitentiary, for his salary up to June 30, 1857--	
	read twice and referred.....	111
	reported.....	119
	read the third time and passed.....	165
10	Resolution directing the Secretary of the Interior to pay certain pension claims therein specified--	
	read twice and referred.....	114
	committee discharged and again referred.....	413
	reported <i>adversely</i>	520
11	Resolution relating to public printing--	
	read twice and referred.....	115
12	Resolution to authorize the Secretary of War to modify a contract made with Righter & Crain for the removal of obstructions in Southwest Pass and Pass à l'Outre, at the mouth of the Mississippi river--	
	read twice and referred.....	129
13	Resolution in relation to certain liabilities assumed by the State of Wisconsin--	
	read twice and referred.....	134
14	Resolution authorizing the appointment of commissioners to examine into the difficulties in the affairs of the Territory of Utah, with a view to their settlement--	
	read twice and referred.....	138
	committee discharged.....	710
15	Resolution authorizing a renewal of certain contracts for carrying the mails on the Mississippi river--	
	read twice and referred.....	138
16	Resolution in relation to the statistics of mines and manufactures of the United States--	
	read twice and referred.....	147, 148
17	Resolution explanatory of the joint resolution "giving an increased compensation to all laborers in the employment of the executive and legislative departments of the government in the city of Washington," approved August 18, 1856--	
	reported and read the first time.....	152
	read the second and third times and passed.....	292

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18	Resolution for the reception of Vice Admiral Mehmed Pasha, of the Turkish navy, and to facilitate the objects of his mission in superintending the building of a vessel of war in the United States— reported and read the first time.....	182
	read the second and third times and passed, (yeas and nays)....	192
19	Resolution to extend the limitations of the act entitled "An act for the relief of citizens of towns upon lands of the United States, under certain circumstances," approved May 23, 1844— read twice and referred.....	208
	reported <i>adversely</i>	215
20	Resolution authorizing the Secretary of the Navy to pay the officers and seamen of the expedition in search of Dr. Kane the same rate of pay that was allowed to the officers and seamen of the expedition under Lieutenant De Haven— reported and read the first time.....	230
	read the second and third times and passed.....	490, 491
21	Resolution devolving upon the Secretary of War the execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December 22, 1854— reported and read the first time.....	255
	read the second time.....	306, 307
	read the third time and passed.....	399
	passed the House of Representatives.....	588, 589
	examined.....	596
	signed.....	597
	presented.....	608, 609
	approved.....	610
22	Resolution providing for the payment of certain expenses of holding the United States courts in the Territory of Utah— reported, read three times and passed.....	269
	passed the House of Representatives.....	396
	examined and signed.....	408
	presented.....	409
	approved.....	412
23	Resolution authorizing a change of location of the South Pass wagon road, for the purpose of giving greater security and protection to emigrant travel— read twice and referred.....	271
	committee discharged and again referred.....	490
24	Resolution authorizing Lieutenant William N. Jeffers, jr., to accept a sword of honor from Her Majesty the Queen of Spain— read three times and passed.....	283
	passed the House of Representatives.....	306
	examined.....	311
	signed.....	313
	presented.....	325
	approved.....	328
25	Resolution explanatory and amendatory of a resolution approved March 1, 1845, entitled "A resolution amendatory of the resolution passed April 30, 1844, respecting the application of certain appropriations heretofore made"— read twice and referred.....	292
26	Resolution for the benefit of the nearest male heir of the late Major General Towson, United States army, deceased— read twice and referred.....	324
	reported <i>adversely</i>	508
	recommitted.....	548
	reported, read the third time and passed.....	675
27	Resolution authorizing the suspension of sales of public lands in the Territory of Kansas— read twice and referred.....	365
	committee discharged.....	620, 621

No.	Title and action.	Page.
28	Resolution for the adjustment of differences with the republic of Paraguay— read the first and second times..... considered and postponed..... amended on motion by Mr. Collamer, line 8, after "measures" strike out "and use such force," (yeas and nays)..... ordered to lie on the table..... considered, vote on the amendment proposed by Mr. Collamer reconsidered, read the third time and passed without amend- ment..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	366 372, 386 414 414 419, 420 555, 556 565 569 581, 582 583, 584
29	Resolution to refer the claim of Joseph Valliere, deceased, to the Court of Claims— read twice and referred..... committee discharged.....	371 634
30	Resolution to extend for a further term the provisions of the joint resolution approved March 10, 1858, in relation to certain dropped and retired officers of the navy— read three times and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	381, 382 429 436 437 440 440, 441
31	Resolution authorizing the Secretary of War to expend the appropriation made July 8, 1856, upon such channel of the St. Mary's river as he may select— read the first time..... read the second time and referred..... reported..... read the third time and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	382 386 435 439 635 636 640 647 651
32	Resolution for the benefit of the widow of Commander Lewis Hern- don, United States navy— read twice and referred..... reported..... read the third time and passed, (yeas and nays)..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	392 394 419 588, 589 596 597 608, 609 610
33	Resolution authorizing suitable acknowledgments to be made by the President to the British naval authorities at Jamaica for the relief extended to the officers and crew of the United States ship Sus- quehannah, disabled by the yellow fever— reported, read three times and passed..... passed the House of Representatives..... examined..... signed..... presented..... approved.....	394 429 436 437 440 441

No.	Title and action.	Page.
34	Resolution for the relief of the legal representatives of John A. Frost, deceased— reported and read the first time.....	398
	read the second and third times and passed.....	497, 498
35	Resolution removing the restrictions upon a certain grant of five sections of land to the State of Iowa— reported, read three times and passed.....	405
36	Resolution explanatory of an act entitled "An act for the relief of George Chorpenning, jr.," approved March 3, 1857— read twice and referred.....	412
	committee discharged and again referred.....	473, 481
37	Resolution authorizing the President of the United States to give to the government of Hanover the notice required by the treaty of 10th June, 1846, of the termination of the 11th article of said treaty— read twice and referred.....	460, 461
38	Resolution for the relief of John Grayson— reported and read the first time.....	461
	read the second and third times and passed.....	497, 498
	passed the House of Representatives.....	549
	examined.....	551
	signed.....	553
	presented.....	563
	approved.....	569
39	Resolution directing the printing of certain reports therein mentioned— reported and read twice.....	461
	considered and referred.....	594
	reported <i>adversely</i>	635
40	Resolution in favor of certain Cherokees— read twice and referred.....	467
41	Resolution amendatory of an act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856, so far as relates to such as shall die during their terms of service— read twice and referred.....	470
42	Resolution for the adjustment of difficulties with the republics of New Grenada, Central America, and Mexico— read twice and referred.....	473
	reported and ordered to lie on the table.....	566
43	Resolution for the relief of Lieut. John C. Carter— reported, read three times and passed.....	487
44	Resolution to grant to the judges and solicitors of the Court of Claims the use of the congressional library, and for other purposes— read the first time.....	489
	read the second time and referred.....	521
	committee discharged.....	700
45	Resolution inhibiting the payment of certain claims for pensions therein specified— reported and read the first time.....	520
46	Resolution authorizing the payment of certain moneys to certain Cherokee Indians remaining east of the Rocky mountains— read twice and referred.....	541
	committee discharged.....	556
	postponed <i>indefinitely</i>	611
47	Resolution to correct an error in a certain act approved May 11, 1858— read three times and passed.....	547, 548
	passed the House of Representatives.....	555
	examined.....	565
	signed.....	569
	presented.....	581
	approved.....	583

No.	Title and action.	Page.
48	Resolution for the payment of an unexpended balance to the State of Georgia for militia services—	
	reported and read the first time.....	579
	read the second and third times and passed.....	594
49	Resolution to correct an error in the "Act for the relief of Stephen R. Rowan," approved June 1, 1858—	
	read three times and passed.....	583
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	examined, signed and presented.....	713
	approved.....	714
50	Resolution authorizing the President to designate a site for the equestrian statue of Washington, and for other purposes—	
	read three times and passed.....	583
51	Resolution explanatory of an act for the relief of Dr. Charles D. Maxwell, a surgeon in the United States navy—	
	reported, read three times and passed.....	648
52	Resolution for the relief of William Hazzard Wigg—	
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53	Resolution directing the printing of certain reports therein mentioned—	
	reported, read three times and passed.....	698

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No.	Title and action.	Page.
2	An act donating public lands to the several States which may provide colleges for the benefit of agriculture and the mechanic arts—	
	received	371
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	reported	422
	considered	483, 484
3	An act making appropriations for the payment of invalid and other pensions of the United States for the year ending the 30th June, 1859—	
	received, read twice and referred	135
	reported	151
	read the third time and passed	164, 165
	examined	172
	signed	173
	presented	179
	approved	239
5	An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859—	
	received, read twice and referred	220
	reported	393
	considered, read the third time and passed	408, 409
	examined	412
	signed	414
	presented	416
	approved	436
6	An act making appropriations for the consular and diplomatic expenses of the government for the year ending June 30, 1859—	
	received	250
	read twice and referred	251
	reported with amendments, amended and postponed	329, 330
	motion to consider (yeas and nays)	341
	read the third time and passed	344
	House of Representatives concur in the amendment of the Senate	609
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	signed	610
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8	An act for the relief of John Hamilton—	
	received	239
	read twice and referred	240
	reported, read the third time and passed	249
	examined and signed	256
	presented	270
	approved	289
14	An act to authorize the Secretary of the Treasury to issue a register or enrolment to the vessel called the James McIndoe, now owned by Thomas Coatsworth, James G. Coatsworth, and William Coatsworth, of Buffalo, New York—	
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	reported <i>adverse'y</i>	223

No.	Title and action.	Page.
22	An act to alter the time of holding the courts of the United States for the State of South Carolina—	
	received, read twice, and referred	125
	reported, read the third time, and passed	164
	examined	172
	signed	173
	presented	179
	approved	239
42	An act granting a pension to Mary A. M. Jones—	
	received	545
	read twice and referred	550
	reported	566
	read the third time and passed	612, 613
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	vote on passage reconsidered	615
	amendment proposed by Mr. Toombs: strike out "52" and insert 57	625
	amendment proposed by Mr. Seward: to add new section: providing <i>pension to Myra Clark Gaines</i> ; amended on motion by Mr. Toombs, (yeas and nays)	625, 626
	vote on agreeing to the amendment: <i>That the name of Myra Clark Gaines, &c.,</i> reconsidered, (yeas and nays)	638, 639
	amended by adding the names of Jane Turnbull, Jane Perry, Ann Smith, and Mrs. Macomb	682, 683
	amendment proposed by Mr. Toombs: insert, <i>And that the widows of all soldiers who have heretofore died, or may hereafter die, in the military service of the United States, &c.</i>	683
	all the amendments reconsidered	702, 703
	amendment proposed by Mr. Johnson, of Tennessee: insert <i>name of Mrs. Mary Kirby Smith</i> , (yeas and nays)	703
	read the third time and passed without amendment, (yeas and nays)	703
	signed	705
	examined	707
	presented	709
	approved	712
55	An act to regulate fees and costs to be allowed marshals, district attorneys, clerks of courts, jurors, and witnesses in the State of California, and in the Territories of Oregon and Washington—	
	received	637, 638
	read twice and referred	640
	reported with amendments	648
56	An act making an appropriation for the completion of the military road from Astoria to Salem, in Oregon Territory—	
	received	465
	read twice and referred	466
	reported	556
	read the third time and passed	699
	examined	701
	signed	702
	presented	709
	approved	712
59	An act in relation to courts, and the holding of the terms thereof in the several Territories of the United States—	
	received	446
	read twice and referred	451
	reported	580
	considered	715
	read the third time and passed	715
	examined, signed, and presented	717

No.	Title and action.	Page.
62	An act making appropriations for the support of the Military Academy for the year ending the 30th of June, 1859—	
	received	371
	read twice and referred	376
	reported with an amendment, which was agreed to	418
	read the third time and passed (yeas and nays)	418
	examined	429
	House of Representatives agrees to the amendment of the Senate—	430
	signed	431
	presented	440
	approved	547
63	An act to supply an omission in the enrollment of a certain act therein mentioned—	
	read twice and referred	146
	reported, read the third time and passed	152
	examined	168
	signed	169
	presented	172-173
	approved	173
65	An act for the relief of Thomas Smithers—	
	received	250
	read twice and referred	251
	reported	386
	read the third time and passed	499
	examined and signed	507
	presented	510
	approved	547
81	An act for the relief of Whitemarsh B. Seabrook and others—	
	received	165
	read twice and referred	167
	committee discharged and again referred	186
	reported, read the third time and passed	212
	examined and signed	215
	presented	220
	approved	239
100	An act to revive an act entitled “An act for the relief of the heirs or legal representatives of William Conway, deceased—	
	received	386
	read twice and referred	391
	reported	434
	read the third time and passed	499
	examined	506
	signed	507
	presented	510
	approved	547
152	An act to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas—	
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	read twice and referred	180
	reported with an amendment	423
	reported amendment agreed to (yeas and nays)	477
	read the third time and passed	478
	House of Representatives concur in the amendment	596
	examined and signed	610
	presented	623
	approved	636

No.	Title and action.	Page.
169	An act making an appropriation for the payment of clerks employed in the offices of the registers of the land offices at Oregon City and Winchester, in the Territory of Oregon— received read twice and referred reported read the third time and passed examined and signed presented approved	545 550 557 611, 613 615 623 637
170	An act for extending the land laws east of the Cascade mountains in Oregon and Washington Territories— received read twice and referred reported, read the third time and passed examined signed presented approved	440 444 527 541 542 549 636
199	An act making appropriations for the naval service for the year ending June 30, 1859— received, read twice and referred reported with an amendment considered motion to consider not agreed to (yeas and nays) amended and reported to the Senate amendments proposed by Mr. Mallory, insert— <i>Appropriation for dry dock at Pensacola, Florida</i> (yeas and nays) .. <i>Authorizing the construction of five steam screw sloops-of-war, &c.</i> .. Mr. Hale proposed to amend the proposed amendment (yeas and nays) Mr. Clingman proposed to amend the proposed amendment (yeas and nays) Mr. Green proposed to amend the proposed amendment (yeas and nays) amendment proposed by Mr. Mallory rejected (yeas and nays) .. amendment proposed by Mr. Mallory, from the Committee on Naval Affairs: Add a new section <i>providing for the appointment of a judge advocate for the naval service</i> (yeas and nays) amendment proposed by Mr. Iverson, from the Committee on Claims: Add a new section <i>relating to the pay of officers who were put on the retired list, &c., by the late Retiring Naval Board</i> amendment decided "not in order" (yeas and nays) amended, on motion by Mr. Bell: <i>Clerks, messengers and watchmen at the navy yard and marine barracks, at Washington, to receive the compensation authorized by acts of April 22 and August 5, 1854</i> (yeas and nays) amendment proposed by Mr. Houston: <i>relating to heirs and widows of officers of the late Texan navy</i> , decided "not in order" (yeas and nays) amended, on motion by Mr. Mallory, from the Committee on Naval Affairs: <i>Construction of five steam screw sloops-of-war, &c.</i> (yeas and nays) amended, on motion by Mr. Crittenden: <i>Relating to the names of steamships</i> further amendment read the third time and passed House of Representatives agree to some and disagree to others of the amendments of the Senate Senate insist and appoint a committee of conference House of Representatives insist and appoint a committee of conference	530 549 602 608, 614 626 626 627 627 627 627, 628 628 628 629 629 630 630 630 631 631 631 657 673, 674 676

No.	Title and action.	Page.
199	An act making appropriations for the naval service for the year ending June 30, 1859—Continued—	
	report of the committee of conference.....	683
	House of Representatives disagree to the report of the committee of conference and ask another conference.....	684
	report of committee of conference considered, Senate insist and agree to a further conference.....	690, 691
	report of committee of conference and Senate concur therein....	695
	House of Representatives agree to the report of the committee of conference.....	695, 696
	examined.....	701
	signed.....	700
	presented.....	705
	approved.....	711
200	An act making appropriations for sundry civil expenses of the government for the year ending June 30, 1859—	
	received, read twice and referred.....	491
	reported with amendments.....	512
	considered.....	542
	amendment proposed by Mr. Pugh, viz: Strike out, in section 1, lines 141 to 150: <i>For collection of agricultural statistics, &c.</i> (yeas and nays).....	543
	reported amendment, <i>appropriation for Capitol extension, &c.</i> , amended, on motion by Mr. Davis, and agreed to.....	543, 544
	reported amendment, <i>making appropriations for custom-houses</i> , considered.....	544
	amendment proposed by Mr. King to the reported amendment (<i>appropriations for custom-houses</i>) rejected (yeas and nays).....	551, 552
	amendment proposed by Mr. Toombs: <i>Payment of expenses of John T. Barclay for services at United States mint</i> (yeas and nays).....	552
	amendment proposed by Mr. Brown: Section 1, line 201, strike out the word "Potomac" (yeas and nays).....	558
	amended, on motion by Mr. Mason, from Committee on Foreign Relations: Insert new section <i>providing for payment to State of Maine expenses in defending northeastern territory</i> (yeas and nays).....	558, 559
	amendment proposed by Mr. Mason, <i>allowing United States minister to France same salary from 1855 to 1857 as that allowed the United States minister to London</i> , not in order.....	559
	amendment proposed by Mr. Mason, <i>relating to salaries under the act to remodel the diplomatic and consular systems of the United States</i> , not in order (yeas and nays).....	559, 560
	amendment proposed by Mr. Douglas, from Committee on Territories, <i>payment to R. J. Walker, late governor of Kansas, for extraordinary expenses, &c.</i> , not in order.....	560
	amendments proposed by Mr. Davis, from Committee on Military Affairs:	
	<i>Payment of expenses, &c., of officers appointed to adjudicate claims against Fremont's California battalion</i> , not in order.....	560
	<i>Reimburse State of Georgia for amount paid by that State to companies of Captains John E. Price and Samuel Patterson in 1838</i> ; not in order.....	560, 561
	amendment proposed by Mr. Iverson, <i>to reimburse State of Georgia the amount paid to Peter Trezvant, representative of Robert Farquhar</i> ; not in order.....	561
	amended, on motion by Mr. Iverson: Insert, SEC. —. <i>And be it further enacted, That the proper accounting officers of the treasury be authorized and directed to examine the accounts between the United States and the several States which have been or may be allowed interest upon claims against the United States, which have accrued during or since the war of 1812 with Great Britain, &c.</i> (yeas and nays).....	562

No.	Title and action.	Page.
200	An act making appropriations for sundry civil expenses of the government for the year ending June 30, 1859—Continued—	
	amendment proposed by Mr. Seward: Insert, <i>That the public lands in Kansas shall not be offered at public sale until after one year from first day of November next</i> (yeas and nays)-----	562, 601
	further amended and adjourned-----	563
	amendment proposed by Mr. Fitch, from Committee on Post Offices and Post Roads: <i>Construction of a building for a post office, &c., at Brooklyn, N. Y.; one at Columbus, Ohio; one at Tallahassee, Florida; one at Hartford, Conn., and one at Harrisburg, Penn.</i> (yeas and nays)-----	570, 571
	Mr. Polk proposed to amend by adding: <i>Building for a post office at Jefferson City</i> : not in order (yeas and nays)-----	570
	amendment proposed by Mr. Green: " <i>Construing certain acts</i> " to direct the Secretary of the Treasury to allow surveyors of the customs the pay allowed collectors while acting as collectors (yeas and nays)-----	571, 572
	amended, on motion by Mr. Seward: <i>To adjust accounts of J. D. Andrews, late agent, upon principles of justice and equity</i> -----	572
	amended, on motion by Mr. Mason, from Committee on Foreign Relations: Add, <i>That when in the absence of the secretary of legation at Constantinople who discharges the duty of dragoman, or, in like manner, when there is no dragoman at that mission, the consul or consul general of the United States who shall act as dragoman shall receive the compensation now provided by law for a dragoman, and for such time as he shall act as such</i> (yeas and nays)-----	572
	amendment proposed by Mr. Chandler: <i>For completing the improvements of the channel over the St Clair flats, Michigan</i> (yeas and nays)-----	572, 573
	amendments proposed by Mr. Pugh: <i>Improvement of certain rivers and harbors</i> (yeas and nays)-----	573, 574
	amendment proposed by Mr. Jones: <i>Improvement of the Mississippi river at the Des Moines and Rock river rapids</i> (yeas and nays)-----	574
	amendment proposed by Mr. Pugh: strike out " <i>appropriations for expenses of life-saving stations and purchase of life-boats on Atlantic coast</i> " (yeas and nays)-----	575
	amendment proposed by Mr. Polk: section 1, line 12, strike out " <i>two hundred and fifty,</i> " and insert <i>one hundred</i> (yeas and nays)-----	575
	On motion by Mr. Cameron to reconsider the vote on the amendment relating to advertising proposals for carrying the mails; postponed-----	576
	amendment proposed by Mr. Johnson, of Tennessee: to strike out the appropriation for " <i>Washington Aqueduct</i> " (yeas and nays)-----	576, 577
	amendment proposed by Mr. Pugh: to strike out " <i>eight hundred thousand dollars</i> " for Washington Aqueduct, and insert <i>four hundred thousand dollars</i> (yeas and nays)-----	576
	amendment proposed by Mr. Simmons: to add new sections relative to the <i>appraisement of imported merchandise</i> ; not in order-----	584, 585, 586
	on the question to agree to the amendment proposed by Mr. Crittenden as amended, for the continuation of the <i>American State Papers</i> , decided in the affirmative (yeas and nays)-----	586, 587
	further amended and reported to the Senate-----	587
	amendment for continuing the work on the custom-house at Charleston, S. C.; concurred in-----	587
	amendment for completing improvement of <i>St. Clair flats</i> ; concurred in (yeas and nays)-----	587
	amendment changing northern boundary of Corporation of Georgetown; not concurred in-----	587, 588

No.	Title and action.	Page.
200	An act making appropriations for sundry civil expenses of the government for the year ending June 30, 1859—Continued— amended, on motion by Mr. Clingman : <i>to pay the claims of the commissioners under the Cherokee treaty of 1835</i> (yeas and nays) .. amendment proposed by Mr. Gwin : <i>Surveys of private land claims in California</i>, amended on motion by Johnson, of Arkansas, and by Mr. Harlan, was agreed to (yeas and nays) .. amendment <i>for completing improvement of St. Clair flats</i> was reconsidered and the amendment <i>rejected</i> (yeas and nays) .. amended on motion by Mr. Mason, from Committee on Foreign Relations : <i>as to construction of the "Act to remodel the diplomatic and consular systems of the United States"</i> (yeas and nays) .. amendment <i>providing that collectors of customs shall act as disbursing agents</i> was reconsidered, amended, and agreed to .. amended on motion by Mr. Johnson, of Arkansas, from the Committee on Printing : insert, <i>For lithographing, engraving, and binding ordered present session</i> .. amended on motion by Mr. Bright, from Committee on Finance : <i>To supply deficiency in appropriation for legislative and contingent expenses of Washington Territory</i> .. amendments proposed by Mr. Johnson, of Tennessee : strike out "For continuing the grading and planting with trees the unimproved portions of the mall" (yeas and nays) .. strike out "For United States Capitol extension seven hundred and fifty thousand dollars" (yeas and nays) .. read the third time and passed (yeas and nays) .. House of Representatives agree to some and disagree to other of the amendments of the Senate .. Senate insist and appoint a committee of conference .. House of Representatives insist and appoint a committee of conference .. report of the committee of conference .. Senate concur .. House of Representatives concur .. examined .. signed .. presented .. approved ..	588 598, 599 599 600 600, 601 601 601 601 602 602 646 647, 648 651 678, 679, 680 680 680 684 685 693 711
201	A bill making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June 30, 1859— received, read twice and referred .. reported with amendments .. reported amendments to section 2 agreed to (yeas and nays) .. further amended and reported to Senate .. on concurring in the following amendment, page 19 : after line 449, insert, <i>For clerk hire, office rent, fuel, and lights at the several district land offices of the land States and Territories, to be apportioned in such manner as, in the judgment of the Secretary of the Interior, the public interest may require, sixty thousand dollars ;</i> amended and concurred in, as above .. amended on motion by Mr. Trumbull .. read the third time and passed .. vote on the passing the bill reconsidered .. on motion by Mr. Hunter to strike out lines 133, 134, 135, 136, and 137 .. motion by Mr. Brown to amend by adding after line 137, <i>compensation to reporters of Senate 3d session 34th Congress and 35th Congress</i> ..	428 441, 442 447 447 447, 448 448 448 448 448 448 448

No.	Title and action.	Page.
201	A bill making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June 30, 1859—Continued—	
	Mr. Hunter raised a question of order, whether the amendment proposed by Mr. Brown was in conformity with 30th rule; debate and adjourn	449
	considered	462
	Mr. Brown withdrew the amendment to enable John C. Rives to pay reporters of the Senate	470
	amendment reported from Committee on District of Columbia by Mr. Brown, <i>To enable John C. Rives to pay the reporters of the Senate, &c.</i> , (decided to be in order)	470, 471
	amended on motion by Mr. Pugh: strike out the words "John C. Rives" where they occur	471
	amendment proposed by Mr. Toombs: to strike out of the bill the compensation to reporters of Globe for the House of Representatives and Senate (yeas and nays)	471
	amendment proposed by Mr. Bayard: authorizing Attorney General to employ <i>two assistant counsel and two clerks</i> , in lieu of the force now employed (yeas and nays)	471
	amended on motion by Mr. Davis: after the word "dollars," in line 574, insert, <i>and the compensation of the superintendent may be allowed to the clerk, &c.</i> (yeas and nays)	472
	read the third time and passed	472
	House of Representatives agree to some and disagree to other of the amendments of the Senate, with amendment	521
	referred	521
	reported and ask a conference	526
	House of Representatives insist and agree to the conference	542
	report of the committee of conference and Senate concur therein	568
	House of Representatives agree to the report	568
	examined	569
	signed	570
	presented	581, 582
	approved	636
203	An act for the relief of George W. Biscoe—	
	received, read twice and referred	355
	reported	549
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
207	(No. 217.) An act to amend an act entitled "An act granting a pension to Ansel Wilkinson," approved August 13, 1856—(See House bill No. 217.)	
	received	129
	read twice and referred	133
	reported	392
	read the third time and passed	499
	examined and signed	507
	presented	510
	approved	000
208	An act for the relief of Alexander Stevenson—	
	received	250
	read twice and referred	251
	reported	329
	read the third time and passed	349, 350
	examined and signed	358
	presented	366
	approved	391

No.	Title and action.	Page.
209	An act for the relief of the representatives of William Smith, deceased, late of Louisiana—	
	received.....	386
	read twice and referred.....	391
	reported.....	413
	read the third time and passed.....	499
	examined.....	506
	signed.....	507
	presented.....	510
	approved.....	547
210	An act for the relief of the legal representatives or assignees of James Lawrence—	
	received.....	250
	read twice and referred.....	251
	reported.....	343
	read the third time and passed.....	344
	examined.....	348
	signed.....	353
	presented.....	356
	approved.....	390
211	An act for the relief of the heirs and legal representatives of Pierre Broussard, deceased—	
	received.....	386
	read twice and referred.....	391
	reported.....	413
	read the third time and passed.....	499
	examined.....	506
	signed.....	507
	presented.....	510
	approved.....	547
212	An act for the relief of N. C. Weems, of Louisiana—	
	received.....	250
	read twice and referred.....	251
	reported.....	316
	read the third time and passed.....	349, 350
	examined and signed.....	358
	presented.....	366
	approved.....	391
213	An act for the relief of Francis Wlodecki—	
	received.....	250
	read twice and referred.....	251
	reported.....	343
	read the third time and passed.....	349, 350
	examined.....	358
	signed.....	358
	presented.....	366
	approved.....	391
214	An act for the relief of Regis Loisel, or his legal representatives—	
	received.....	386
	read twice and referred.....	391
	reported.....	481
	read the third time and passed.....	499
	examined.....	506
	signed.....	507
	presented.....	510
	approved.....	547
216	An act for the relief of Dr. Charles D. Maxwell, a surgeon in the United States navy—	
	received.....	251
	read three times and passed.....	271
	examined and signed.....	272
	presented.....	275
	approved.....	289

No.	Title and action.	Page.
217	(No. 207.) An act to prevent the inconvenient accumulation in the Post Office Department of postmaster's quarterly returns—	
	received.....	437
	read twice and referred.....	438
	reported.....	497
	read the third time and passed.....	499
	examined and signed.....	507
	presented.....	510
	approved.....	547
218	An act for the benefit of the captors of the British brig Caledonia, in war of 1812—	
	received.....	250
	read twice and referred.....	251
	reported.....	340
	amended, read the third time and passed (yeas and nays).....	701
219	An act for the relief of William Heine, artist of the Japan Expedition—	
	received.....	553
	read twice and referred.....	556
	reported.....	567
	read the third time and passed.....	612, 613
	signed.....	613
	presented.....	623
	approved.....	637
221	An act for the relief of Mary Bainbridge—	
	received, read twice and referred.....	463
	reported.....	605
222	An act for the relief of Elizabeth E. D. Field—	
	received.....	465
	read twice and referred.....	466
	committee discharged.....	496
224	An act for the relief of Stephen Bunnell—	
	received, read twice and referred.....	463
	reported with amendments.....	605
225	An act to increase the pension of John Richmond—	
	received, read twice and referred.....	251
	reported.....	481
	read the third time and passed.....	499
	examined and signed.....	507
	presented.....	510
	approved.....	547
229	An act for the relief of Samuel Goodrich, jr—	
	received.....	553
	read twice and referred.....	556
	reported.....	605
230	An act for the relief of Mary Bennett—	
	received.....	553
	read twice and referred.....	556
	reported <i>adversely</i>	687
231	An act for the relief of Nancy Serena—	
	received.....	465
	read twice and referred.....	466
	reported, read the third time and passed.....	514
	examined.....	521
	signed.....	526
	presented.....	549
	approved.....	636
232	An act for the relief of Margaret Whitehead—	
	received, read twice and referred.....	463
	reported.....	514

No.	Title and action.	Page.
233	An act for the relief of Sylvanus Burnham—	
	received.....	553
	read twice and referred.....	556
	reported.....	605
238	An act for the relief of the heirs of Richard Tarvin—	
	received.....	553
	read twice and referred.....	556
	reported.....	579
	read the third time and passed.....	612, 613
	examined.....	617
	signed.....	625
	presented.....	638
	approved.....	650
239	An act for the relief of Zina Williams—	
	received.....	553
	read twice and referred.....	556
	reported.....	605
243	An act making appropriations for the support of the army for the year ending the 30th of June, 1859—	
	received.....	541
	read twice and referred.....	542
	reported with amendments.....	591
	considered.....	632
	the reported amendment, strike out the words: "For the alteration of old arms so as to make them breech-loading arms," &c., being under consideration, amendments were proposed by Mr. Davis and Mr. Benjamin (yeas and nays).....	640, 641, 642
	amended, insert: <i>For payment of the volunteers operating in Florida in 1857, &c.</i> (yeas and nays).....	641
	amended, insert: <i>For the purchase of breech-loading carbines, &c.</i> (yeas and nays).....	642
	amended, insert: <i>Compensation to F. W. Lander for services performed and expenses in making a reconnaissance for a railroad from Puget's sound to Mississippi river, &c.</i> (yeas and nays).....	642
	amended, insert: <i>For completing the road from Albuquerque to the Colorado river, &c.</i> (yeas and nays).....	643
	amendment proposed by Mr. Davis: <i>To sell to the Post Office Department fire arms for protection of mail stages und emigrant wagons, &c.</i> (yeas and nays).....	643
	amendment proposed by Mr. Houston: <i>To refund to the State of Texas amount paid for ranging service, &c.; "not in order"</i>	644
	bill reported to the Senate.....	644
	amendment proposed by Mr. Houston: <i>Payment to citizens of Texas for timber used by United States troops in construction of forts; "not in order"</i>	644
	amendment: <i>For continuing the construction of the following works of defence, &c.; "concurred in"</i> (yeas and nays).....	644, 645
	amendment: <i>Repealing all laws authorizing the sale of military sites, &c.; "concurred in"</i>	645
	read the third time and passed (yeas and nays).....	645, 646
	House of Representatives agree to some and disagree to others of the amendments of the Senate.....	669
	Senate insist and appoint a committee of conference.....	674
	House of Representatives insist and appoint a committee of conference.....	676
	House of Representatives agree to the report of the committee of conference.....	684
	report of the committee of conference.....	685, 686
	Senate concur.....	686
	examined and signed.....	691
	presented.....	693
	approved.....	711, 712

No.	Title and action.	Page.
245	An act for the relief of A. Bondouin and A. D. Robert—	
	received	533
	read twice and referred	556
	reported	579
246	An act for the relief of certain settlers on the public lands in the State of Wisconsin—	
	received, read twice and referred	588, 589
	reported	606
	read the third time and passed	636
	examined and signed	639, 640
	presented	646
	approved	669
248	An act regulating municipal elections in the city of Washington—	
	received	516
	read twice and referred	517
	reported with an amendment	520
250	An act for the relief of Pierre Gagnon, of Natchitoches, Louisiana—	
	received, read twice and referred	463
	reported	481
	read the third time and passed	499
	examined	507
	signed	507
	presented	510
	approved	547
251	An act to authorize the claimants in right of John Huertas to enter certain lands in Florida—	
	received	465
	read twice and referred	466
	reported	488
	amended and ordered to be engrossed	499, 500
254	An act for the relief of William Hutchenson—	
	received, read twice and referred	463
	committee discharged and again referred	548
	reported <i>adversely</i>	580
	postponed indefinitely	611
256	An act for the relief of Oliver P. Hovey—	
	received, read twice and referred	463
	reported	501
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
257	An act to increase the pension of Henry E. Read, a citizen of Kentucky, and for other purposes—	
	received, read twice and referred	463
	reported	566
	read the third time and passed	612, 613
	examined	639
	signed	640
	presented	646
	approved	669
258	An act for the relief of Augustus J. Kuhn—	
	received	553
	read twice and referred	556
	reported	619
260	An act for the relief of Isaac Carpenter—	
	received, read twice and referred	463
	reported	497
	read the third time and passed	499
	examined	507
	signed	507
	presented	510
	approved	547

No.	Title and action.	Page.
261	An act for the relief of Leonard Loomis— received, read twice and referred..... reported.....	463 496
264	An act granting a pension to Thomas Allcock, of Rochester, New York— received, read twice and referred..... reported with an amendment.....	463 619
267	An act for the relief of Timothy L. O'Keeffe— received..... read twice and referred..... reported <i>adversely</i> postponed indefinitely..... examined and signed..... House of Representatives requested to return the bill..... returned and motion made to reconsider the vote on the indefinite postponement of the bill.....	553 556 606 611 625 632, 647 651
269	An act for the relief of David Bruce— received..... read twice and referred..... reported..... read the third time and passed..... examined and signed..... presented..... approved.....	553 556 592 612 625 638 650
271	An act to enable the President of the United States to fulfil the stipulations contained in the third and sixth articles of the treaty between the United States and the King of Denmark, of the 11th April, 1857, for the discontinuance of the Sound dues— received, read twice and referred..... reported, read the third time..... examined and signed..... presented..... approved.....	220 227 230 234 239
272	An act for the relief of Brevet Major H. L. Kendrick— received, read twice and referred..... reported..... read the third time and passed..... examined and signed..... presented..... approved.....	463 481 499 507 510 547
273	An act for the relief of John F. Cannon— received, read twice and referred..... reported.....	463, 464 509
277	An act for the relief of Mary Boyle— received..... read twice and referred..... reported.....	553 556 606
300	An act declaring the title to land warrants in certain cases— received..... read twice and referred..... reported..... amended, read the third time and passed (yeas and nays)..... ordered that the Secretary request the return of the bill from the House of Representatives..... message from the House of Representatives returning the bill.. motion to reconsider the vote on its passage..... reconsidered, amended and passed..... House of Representatives concur in the amendment..... signed..... presented..... approved.....	430 435 446 506 516 516 517 581 596 597 608 636

No.	Title and action.	Page.
302	An act to continue the office of register of the land office at Vincennes, Indiana—	
	received	616
	read twice and referred	617
	reported	711
303	An act giving assent of Congress to a law of the Missouri legislature for the application of the reserved two per cent. land fund of said State—	
	received	616
	read twice and referred	617
	reported	619
306	An act to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858—	
	received, read twice and referred	331
	reported with amendments	349
	considered and postponed	354
	on the question to agree to the amendment striking out the third section as amended; not agreed to (yeas and nays)	358, 359
	amendment proposed by Mr. Hale to add a new section, <i>That no contract shall hereafter be made, &c, except under a law authorizing the same, &c.</i> (yeas and nays)	362, 367
	amendment proposed by Mr. Fessenden, to add a new section, the amendment having been divided, the first clause <i>was agreed to</i> and the second and third clauses <i>rejected</i> (yeas and nays)	366, 367
	amendment proposed by Mr. Fessenden, Strike out all after line 30 to line 116 and insert (yeas and nays)	368, 369, 382
	further amended and reported to the Senate	369
	on the amendment to strike out the following clause: "To enable John C. Rives to pay to the reporters of the House of Representatives," &c.; agreed to (yeas and nays)	369
	amendment proposed by Mr. Brown, to insert, <i>also to enable John C. Rives to pay to the reporters of the Senate, &c.</i> ; decided not to be in order	369
	on concurring in the following amendment: To insert at the end of the second section, <i>That it shall never hereafter be lawful for either House of Congress to apply any part of the appropriation for the contingent expenses of such House to any other than the ordinary expenditures of such House, &c.</i>	372
	motion to reconsider foregoing amendment (yeas and nays)	374
	amended on motion by Mr. Biggs: section 3, line 6, after "Congress," insert " <i>not in contravention of the joint resolution to fix the compensation of the employés in the legislative department of the government, &c.</i> " (yeas and nays)	372
	above amendment reconsidered	374
	on motion by Mr. Jones to amend the third section, line 8, after accounts, insert " <i>and that there be paid by the Secretary of the Senate to the employés of the Senate, &c.</i> "; not in order	372, 373
	amended, on motion by Mr. Doolittle: strike out the third section and insert, in lieu thereof " <i>That the accounting officers of the treasury be authorized and directed to allow credit to the Clerk of the House of Representatives for such payments out of its contingent fund as have been made, &c.</i> " (yeas and nays)	372, 373
	above amendment reconsidered	373, 374
	amended, on motion by Mr. Biggs: to strike out the whole of section three, as amended; agreed to (yeas and nays)	375
	On the question to concur in the following amendment: <i>That no part of the amount appropriated by this act for the service of any one fiscal year shall be used or applied to the service of any other year, &c.</i> ; not concurred in (yeas and nays)	375

No.	Title and action.	Page.
306	An act to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1858—Continued—	
	on the question to concur in the following amendment: <i>That whenever hereafter contracts shall be made by the Secretary of War, &c. ; concurred in (yeas and nays)</i> -----	376
	considered and postponed -----	378
	amendment proposed by Mr. Harlan: to strike out of section 1 "For surveying the public and private land claims in California," &c. (yeas and nays) -----	383
	amendment proposed by Mr. Clark: add a new section, <i>That all moneys appropriated and unexpended at the close of the year ending June 30, 1859, shall be carried to the surplus fund, &c. (yeas and nays)</i> -----	384
	read the third time and passed (yeas and nays)-----	384
	House of Representatives disagree to the 1st and 2d and agree to the 3d amendment of the Senate -----	390
	referred to Committee on Finance -----	391
	reported, and, on motion that the Senate recede, not agreed to (yeas and nays)-----	399
	Senate insist and committee of conference appointed-----	399
	House of Representatives insist and appoint a committee of conference -----	399
	report of committee of conference: "cannot agree" -----	402
	Senate recede from their 1st and 2d amendments-----	403, 404
	examined and signed -----	408
	presented -----	409
	approved -----	436
307	An act to appropriate money to supply deficiencies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives of the thirty-third and thirty fourth Congresses, and which has been executed—	
	received -----	239
	read twice and referred -----	240
	reported, read the third time and passed-----	247
	examined and signed-----	247
	presented -----	248
313	An act to provide for the organization of a regiment of mounted volunteers for the defence of the frontier of Texas, and to authorize the President to call into the service of the United States two additional regiments of volunteers—	
	received -----	272
	read twice and referred-----	273, 274
	reported with amendments-----	284
	motion to consider-----	287
	considered -----	307
	amended, on motion by Mr. Hunter: section 4, line 7, strike out "four" and insert <i>two</i> (yeas and nays)-----	308
	read the third time, title amended and passed (yeas and nays)-----	308, 309
	House of Representatives agree to the amendments with an amendment to the eighth amendment, and Senate concur-----	316
	examined-----	322
	signed and presented-----	325
	approved -----	390
318	An act recognizing the assignment of land warrant No. 35,956, issued to John Davis, as valid—	
	received -----	465
	read twice and referred-----	466
319	An act for the relief of Benjamin Sayre—	
	received -----	650
	read twice and referred -----	651, 652

No.	Title and action.	Page.
321	An act for the relief of John B. Roper—	
	received	553
	read twice and referred	556
	reported	606
	read the third time and passed	612, 613
	examined and signed	625
	presented	638
	approved	650
324	An act to allow the legal representatives of Samuel Jones five years' full pay, in lieu of half pay for life—	
	received	553
	read twice and referred	556
327	An act for the relief of the legal representatives of Marie Malines—	
	received, read twice and referred	463
	reported	481
	read the third time and passed	409
	examined and signed	507
	presented	510
	approved	547
332	An act for the relief of Richard B. Alexander—	
	received, read twice and referred	463
	committee discharged and again referred	497
	reported	556
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
334	An act for the relief of Simeon Stedman—	
	received, read twice and referred	463
	committee discharged and again referred	548
	reported	556
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
335	An act for the relief of Susannah Redman, widow of Lloyd Redman—	
	received, read twice and referred	463
	reported	548
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
336	An act [for the relief of B. W. Palmer and others] <i>relating to the compensation of pursers' assistants, and clerks of commandants and yards—</i>	
	received	465
	read twice and referred	466
	reported with an amendment which was agreed to, read the third time, title amended, and passed	527
340	An act providing an increase of pension to Peter Van Buskirk, of Washington city, in the District of Columbia—	
	received	677
	read twice and referred	682
341	An act for the relief of John Harris, of Warren county, Kentucky—	
	received	616
	read twice and referred	617
342	An act for the relief of John Campbell—	
	received	616
	read twice and referred	617
	reported	619
344	An act for the relief of Captain Stanton Sholes—	
	received	545
	read twice and referred	550

No.	Title and action.	Page.
	An act for the relief of Captain Stanton Sholes—Continued.	
	reported	566
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
345	An act for the relief of Nancy Magill, of Ohio—	
	received	545
	read twice and referred	550
	reported	606
	read the third time and passed	696
	examined	701
	signed	699
	presented	705
	approved	717
346	An act for the relief of William Sutton—	
	received	545
	read twice and referred	550
	reported	606
347	An act for the relief of Joseph Webb—	
	received	545
	read twice and referred	550
	reported	566
	read the third time and passed	611, 613
	examined and signed	615
	presented	623
	approved	637
353	An act for the relief of Eli W. Goff—	
	received	545
	read twice and referred	550
	reported <i>adversely</i>	592
356	An act for the relief of Roswell Minard, father of Theodore Minard, deceased—	
	received	545
	read twice and referred	550
	reported	567
	amended, read the third time and passed	614
	examined	615
	ordered that a message be sent to the House of Representatives asking the return of the bill	618, 647
	bill returned	651
359	An act for the relief of Duncan Robertson —	
	received	252
	read twice and referred	255
	reported, read the third time and passed	365
	examined and signed	392
	presented	406
	approved	436
361	An act for the relief of William Rich—	
	received	616
	read twice and referred	617
	reported	635
363	An act granting an invalid pension to Henry Miller—	
	received	616
	read twice and referred	617
	reported <i>adversely</i>	619
	recommitted	624
364	An act granting a pension to Mary B. Dusenbury—	
	received	616
	read twice and referred	617

No.	Title and action.	Page.
365	An act granting a pension to Jeremiah Wright—	
	received	616
	read twice and referred	617
	reported <i>adversely</i>	619
366	An act for the relief of John Duncan—	
	received	545
	read twice and referred	549
	reported with an amendment	605
	amended, read the third time and passed	614
399	An act for the relief of certain purchasers of lands within the limits of the Choctaw cession of 1830—	
	received	660
	read three times and passed	669
	examined and signed	676
	presented	678
	approved	717
426	An act for the relief of Monroe D. Downs—	
	received	452
	read twice and referred	463
	reported	496
446	An act for the relief of D. O. Dickinson—	
	received	545
	read twice and referred	550
	reported, read the third time and passed	589
	examined	596
	signed	597
	presented	608
	approved	636
451	An act for the relief of the legal representatives of Jean Baptiste Devidrie—	
	received	545
	read twice and referred	550
	reported	567
	read the third time and passed	612, 613
	examined	615
	signed	617
	presented	623
	approved	637
452	An act for the relief of Dr. Thomas Antisell—	
	received	545
	read twice and referred	550
	committee discharged and again referred	579
	reported	592
	read the third time and passed	612, 613
	examined and signed	625
	presented	638
	approved	650
453	An act for the relief of Robert W. Cushman, formerly an acting purser in the United States navy—	
	received	545
	read twice and referred	550
	reported	557
	read the third time and passed	612, 613
	examined and signed	615
	presented	623
	approved	637
455	An act for the relief of Micajah Brooks—	
	received	545
	read twice and referred	550
	reported	566
	read the third time and passed	612, 613

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455	An act for the relief of Micajah Brooks—Continued— examined and signed.....	615
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456	An act granting an invalid pension to brevet Major John Jones, of Tennessee— received.....	545
	read twice and referred.....	550
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	House of Representatives concur in the amendment of the Senate.....	617
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457	An act for the relief of Kennedy O'Brien— received.....	545
	read twice and referred.....	550
	reported.....	606
458	An act for the relief of Evelina Porter, widow of the late Commodore David Porter, of the United States navy— received.....	546
	read twice and referred.....	550
	reported.....	606
459	An act granting an invalid pension to Silas Stevens, of Virginia— received.....	546
	read twice and referred.....	550
	reported.....	605
460	An act granting an invalid pension to Beriah Wright, of New York— received.....	546
	read twice and referred.....	550
	reported.....	567
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461	An act granting an invalid pension to John Lee, of the State of Maine— received.....	546
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462	An act granting an invalid pension to James Fugate, of Missouri— received.....	550
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	examined and signed.....	640
	presented.....	646
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464	An act for the relief of Cornelius H. Latham— received.....	546
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	read the third time and passed.....	612, 613
	examined and signed.....	625
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466	An act making appropriations for the expenses of collecting the revenue from customs— received, read twice and referred.....	530
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	amended on motion by Mr. Wilson, viz: Strike out the 1st and 2d sections and insert (yeas and nays).....	671
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466	An act making appropriations for the expenses of collecting the revenue from customs—Continued—	
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	House of Representatives agrees to some and disagrees to other amendments	692, 693
	Senate agrees to the amendment of the House of Representatives to the first amendment of the Senate, and insist on their 4th amendment, and ask a conference	691, 695
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	House of Representatives agrees to the report of the committee of conference	705
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476	An act for the relief of James Rumph—	
	received, read twice and referred	556
	reported	579
	read the third time and passed	612, 613
	examined	615
	signed	617
	presented	623
480	An act for the relief of Dr. Ferdinand O. Miller--	
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	read twice and referred	550
	reported	579
	read the third time and passed	612, 613
	examined and signed	625
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481	An act for the relief of Dinah Minis—	
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482	An act regulating the compensation of the officers and marines of the revenue cutters—	
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486	An act for the relief of Alonzo and Elbridge G. Colby—	
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	read twice and referred	550
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	read the third time and passed	612, 613
	examined	615
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488	An act for the relief of Cassius M. Clay—	
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489	An act for the relief of Congressional township No. 27 north, of range 6 east, in Wabash county, in the State of Indiana—	
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	examined and signed	615
	presented	623
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492	An act for the relief of John Dearmit—	
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	read twice and referred	550
	reported	567
	read the third time and passed	612, 613
	examined	615
	signed	617
	presented	623
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493	An act for the relief of Stukeley & Rogers—	
	received	546
	read twice and referred	550
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	read the third time and passed	612, 613
	examined	616
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	presented	623
	approved	637
494	An act for the relief of William Doxy and others—	
	received	546
	read twice and referred	550
396	An act for the relief of the representatives of Henry King, deceased—	
	received	546
	read twice and referred	550
	reported	567
502	An act for the relief of S. W. & A. A. Turner—	
	received	546
	read twice and referred	550
	reported, read the third time and passed	593
	signed	597
	presented	608
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503	An act for the relief of Job Stafford, of the State of New York—	
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	read twice and referred	550
	reported	557
	read the third time and passed	612, 613
	examined and signed	615
	presented	623
	approved	637
504	An act for the relief of Elizabeth McBrier, only surviving child and heir of Colonel Archibald Loughry, deceased—	
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	read twice and referred	549, 550
	reported	557
	read the third time and passed	612, 613
	examined and signed	615
	presented	623
	approved	637
506	An act for the relief of the administrator of Horatio Boulton, deceased—	
	received	546
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No.	Title and action.	Page.
506	An act for the relief of the administrator of Horatio Boulton, deceased—Continued—	
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510	An act for the relief of Dr. George H. Howel—	
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511	An act for the relief of Nehemiah S. Draper and William Holden, heirs at law of Mary Draper, deceased—	
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	reported <i>adversely</i>	606
512	An act for the relief of Elijah Close, of Tennessee—	
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	read twice and referred	550
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	read the third time and passed	612, 613
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	presented	646
	approved	669
513	An act granting an invalid pension to William Howell, of Tennessee—	
	received	546
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	read the third time and passed.....	698
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514	An act granting an invalid pension to Conrad Schroeder—	
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	reported	566
	read the third time and passed.....	612, 613
	examined and signed	639, 640
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	approved	669
515	An act granting an invalid pension to Alexander S. Bean, of Pennsylvania—	
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	reported	566
	read the third time and passed.....	612, 613
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	presented	646
	approved	669
516	An act for the relief of Michael A. Davenport, of Illinois—	
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518	An act to continue the pension heretofore paid to Mary C. Hamilton— Continued—	
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520	An act for the relief of William Bullock—	
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522	An act for the relief of Wright Fore—	
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	read twice and referred	550
	reported with an amendment	567
523	An act for the relief of Wyatt Griffith—	
	received	546
	read twice and referred	550
	reported	566
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	presented	646, 647
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524	An act for the relief of Francis Carver—	
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525	An act for the relief of Robinson Gammon—	
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526	An act for the relief of Frederick Smith—	
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527	An act for the relief of Phineas G. Pearson--	
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	read twice and referred	550
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528	An act for the relief of Judith Nott—	
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	read twice and referred	550
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	read the third time and passed	612, 613
	examined	617
	signed	625
	presented	638
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529	An act for the relief of John C. Rathbun—	
	received	546
	read twice and referred	550
530	An act for the relief of Stephen Fellows—	
	received	546
	read twice and referred	550
	reported	566
	read the third time and passed	612, 613
	examined and signed	639, 640
	presented	646
	approved	669
531	An act for the relief of John Perry, of Illinois—	
	received	546
	read twice and referred	550
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No.	Title and action.	Page.
532	An act for the relief of Ebenezer Hitchcock—	
	received	546
	read twice and referred	550
	reported <i>adversely</i>	606
	postponed <i>indefinitely</i>	611
533	An act for the relief of Shove Case, of New York—	
	received	546
	read twice and referred	550
	reported	592
	read the third time and passed	612, 613
	examined	616
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	presented	623
	approved	637
534	An act for the relief of Allen Smith—	
	received	546
	read twice and referred	550
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535	An act for the relief of David Watson—	
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	read twice and referred	550
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538	An act for the relief of settlers on certain lands in the State of Illinois—	
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	read the third time and passed	672
	examined and signed	676
	presented	678
	approved	717
540	An act to provide for lighting with gas certain streets across the Mall—	
	received, read twice and referred	517
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541	An act in relation to a railway along Pennsylvania avenue, in Washington city, in the District of Columbia—	
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542	An act to authorize the vestry of Washington parish to take and enclose certain parts of streets in Washington city for the purpose of extending the Washington cemetery, and for other purposes—	
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	read twice and referred	400
	reported	417
	read the third time and passed	466
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543	An act for the relief of the legal representatives of John McDonough, deceased, late of Louisiana—	
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	read twice and referred	550
	reported	567
	read the third time and passed	612, 613
	examined	616
	signed	617
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	received	547
	read twice and referred	550
	reported	557
	read the third time and passed	612, 613
	examined and signed	615
	presented	623
	approved	637
550	An act making appropriation for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes—	
	received, read twice and referred	702
	reported	711
555	An act to supply deficiencies in the appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1858—	
	received	567
	read twice and referred	568
	reported with an amendment	604
	reported amendment agreed to	650
	amended	657
	considered	672, 673
	amended on motion by Mr. Houston: add new section relating to the <i>appointment of Indian agents in Texas</i> , (yeas and nays)	692
	amendment proposed by Mr. Houston: insert, <i>and the Wichita agency is hereby attached to the superintendency of Texas</i> , (yeas and nays)	692
	amended, read the third time and passed	692
	House of Representatives agrees to the amendments of the Senate	706
	examined	707
	signed	708
	presented	709
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556	An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859—	
	received	541, 542
	read twice and referred	542
	reported	604
	amendment proposed by Mr. Yulee, from the Committee on the Post Office and Post Roads, insert: <i>That there shall be appointed by the President, with the consent of the Senate, a fourth assistant post-master general, &c.</i> (yeas and nays)	661, 662
	amendment proposed by Mr. Yulee, insert: <i>Additional compensation to special agents in New York and New England, &c.</i> (yeas and nays)	662
	amendment proposed by Mr. King, insert: <i>A new section in relation to detention of letters, &c.</i> (yeas and nays)	662
	reported to Senate and amendments concurred in	663
	amendment proposed by Mr. Broderick, and amended on motion by Mr. Seward, insert: <i>That not more than \$2,500 per annum shall be paid to any special of the Post Office Department, &c.</i> ; agreed to	663
	amendment proposed by Mr. Collamer: insert a provision relating to delivery of letters and papers, &c., from certain post offices in California, &c. (yeas and nays)	663, 664, 665
	amendment proposed by Mr. Pugh, and amended on motion by Mr. Wilson: <i>Relating to the advertisement of letters, &c.</i> (yeas and nays)	663, 664

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556	An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859—Continued. amendment proposed by Mr. Trumbull: add a new section: <i>That not more than \$2 per annum be charged for a box or drawer at a post office</i> (yeas and nays)..... amended on motion by Mr. Johnson, of Arkansas: add new section: <i>Increasing the rate of postage to 5 cents</i> (yeas and nays).... amendments proposed: <i>abolishing the franking privilege, and prepayment of all matter passing through the mails</i> (yeas and nays)..... amended on motion by Mr. Wilson: insert a new section: <i>Relating to the printing of post bills, blanks, printing drafts, &c.</i> (yeas and nays)..... read the third time and passed (yeas and nays)..... House of Representatives agrees to some and disagrees to other amendments of the Senate..... Senate insist and appoint a committee of conference..... House of Representatives insists and agrees to the conference.... report of the committee of conference, "unable to agree"..... Senate insists and ask a further conference..... House of Representatives insists and agrees to the conference.... report from committee of conference, and Senate concur..... examined, signed and presented..... approved.....	665 665 665, 666, 667 667, 668 668 684 684, 685 693 697 697, 712 702, 711 713 715 717
557	An act making supplemental appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1859— received, read twice and referred..... reported..... amended..... amendments proposed by Mr. Sebastian, from the Committee on Indian Affairs: insert— Payment to John Rogers, of Fort Smith, Arkansas, for storage and provisions for Indians; not in order..... Payment to Willis A. Gorman, &c.; not in order..... amended, read the third time and passed..... House of Representatives agrees to some and disagrees to others of the amendments of the Senate..... Senate insist and appoint a committee of conference..... House of Representatives insist and appoint a committee of conference..... report of committee of conference, and Senate concur..... House of Representatives agrees to the report of committee of conference..... examined and signed..... presented..... approved.....	556 578 649 649 649 649 668 673 676, 677 686 684 691 693 712
558	An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859— received..... read twice and referred..... reported with amendments..... considered..... reported amendment: <i>For transportation of the mails from New York to Liverpool, and back, in pursuance of the contract with E. K. Collins and others, &c.; agreed to</i> (yeas and nays)..... Mr. Hunter proposed to amend the reported amendment; not agreed (yeas and nays)..... Mr. Toombs proposed to amend the same (yeas and nays).....	541, 542 542 619 646 652, 655, 656 652 655

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558	An act making appropriations for the transportation of the United States mail by ocean steamers and otherwise, during the fiscal year ending the 30th of June, 1859—Continued.	
	reported amendment: strike out the words "\$230,000" and insert—the amount of postages, ocean and inland, received by the United States in the mails; agreed to, and then reconsidered (yeas and nays).....	653, 654
	reported amendment: strike out "For contingencies of the mail service between New York and Europe, one hundred and twenty thousand dollars;" agreed to (yeas and nays).....	654
	amendment proposed by Mr. Clingman: add two new sections; not agreed (yeas and nays).....	654, 655
	amended on motion by Mr. King: insert— <i>That it shall not be lawful to make any contract for carrying the mails on the sea for a longer period than five years</i>	656
	read the third time and passed (yeas and nays).....	656
	House of Representatives agrees to the 2d and disagrees to all the other amendments of the Senate.....	670
	Senate insist and appoint a committee of conference.....	673, 674
	House of Representatives insist and appoint a committee of conference.....	677
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	report of the committee of conference, and Senate concur.....	699, 700
	House of Representatives agrees to the report.....	705
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561	An act making appropriations for the support of three regiments of volunteers authorized by the act of Congress, approved 7th April, 1858—	
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564	An act to create a land district in the Territory of New Mexico—	
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	reported, read the third time and passed.....	487, 488
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565	An act to confirm the land claim of certain pueblos and towns in the Territory of New Mexico—	
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	reported with amendments, which were agreed to, read the third time and passed.....	669
569	An act for the relief of Gardner & Vincent and others—	
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	reported.....	592
	read the third time and passed.....	612, 613
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	read the third time and passed.....	612, 613
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	presented.....	623
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571	An act for the relief of David McClure, administrator of Joseph McClure, deceased—	
	received.....	547
	read twice and referred.....	550
	reported.....	579
	read the third time and passed.....	612, 613
	examined.....	616
	signed.....	617
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572	An act for the relief of Lewis W. Broadwell—	
	received.....	547
	read twice and referred.....	550
	reported.....	581
	read the third time and passed.....	612, 613
	examined and signed.....	615
	presented.....	623
	approved.....	637
573	An act for the relief of Thomas Hasam and B. S. Brewster—	
	received.....	547
	read twice and referred.....	550
	reported.....	592
	read the third time and passed.....	612, 613
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575	An act for the relief of Robert A. Davidge—	
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576	An act for the relief of Captain Douglass Ottinger—	
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	read twice and referred.....	550
577	An act for the relief of Rebecca M. Bowden, of Prince George county, Virginia—	
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578	An act for the relief of Isaac Drew and other settlers upon the public lands in the State of Wisconsin—	
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	approved.....	547
582	An act to authorize a loan not exceeding the sum of twenty millions of dollars—	
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	read twice, amended, read the third time and passed.....	696
	House of Representatives concur in the amendment of the Senate, with an amendment.....	706

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582	An act to authorize a loan not exceeding the sum of twenty millions of dollars—Continued.	
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	House of Representatives recedes from its second amendment..	709
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	approved	717
583	An act providing for keeping and distributing all public documents—	
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	read twice and referred	640
585	An act to establish certain post roads—	
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	House of Representatives concur in the amendment of the Senate	702
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610	An act for the relief of William S. Bradford—	
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619	An act for the relief of John Sawyer, a soldier of the war of the Revolution—	
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	read twice and referred	617
	reported, read the third time and passed.....	672
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631	An act granting an invalid pension to John Holland, of Arkansas—	
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	examined	701
	signed.....	702
	presented	710
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647	An act to change the time of holding the spring term of the district court of the United States for the western district of the State of Texas—	
	received, read twice and referred.....	624
	reported, read the third time and passed	648
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648	An act for the relief of Gotlieb Sheerer—	
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650	An act granting an invalid pension to William Randolph—	
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650	An act making appropriations for the service of the Post Office Department during the fiscal year ending the 30th of June, 1859—	
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652	An act to repeal the second section of the act entitled "An act to establish certain post roads," approved June 14, 1858—	
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BILLS OF THE HOUSE OF REPRESENTATIVES,

RECEIVED FROM THE COURT OF CLAIMS.

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65	An act for the relief of Benjamin L. McAtee and Isaac N. Eastman—	
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	reported.....	556
	read the third time and passed.....	612, 613
	examined and signed.....	615
	presented.....	623
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80	An act for the relief of Captain James Mac McIntosh, of the United States navy—	
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81	An act for the relief of the heirs of William Turvin, deceased—	
	received.....	545
	read twice and referred.....	550
	reported.....	579
	read the third time and passed.....	612, 613
	examined.....	615
	signed.....	617
	presented.....	623
	approved.....	637
84	An act for the relief of Ferdinand Coxe—	
	received.....	616
	read twice and referred.....	618
	reported.....	634
85	An act for the relief of Peter Parker—	
	received.....	616
	read three times and passed.....	618
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	signed.....	625
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	read twice and referred	52
2	Resolution to amend an act entitled "An act to regulate the compensation of members of Congress," approved August 16, 1856—	
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	read twice and Senate adjourned	55
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9	Resolution authorizing the Postmaster General to revise and adjust the accounts of Harris and Morgan, on principles of justice and equity—	
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10	Resolution for the relief of General Sylvester Churchill—	
	received, read twice and referred	463
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	examined and signed	615
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	approved	637
12	Resolution making an appropriation for the payment of expenses of investigating committees of the House of Representatives—	
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19	Resolution respecting the distribution of certain public documents—	
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22	Joint resolution for the relief of Michael Pappreniza—	
	received	547
	read twice and referred	550
	reported	635
24	Joint resolution for the relief of Henry Orndorf—	
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	read twice and referred	550
	reported	567
	read the third time and passed	613
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